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Chair

Mr. Tom Wappel

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•(0905)

[English]

The Chair (Mr. Tom Wappel (Scarborough Southwest, Lib.)): I call the meeting to order. For the purposes of the record, pursuant to Standing Order 108(2), we are studying the northern cod, including the events leading to the collapse of the fishery and the failure of the stock to re-establish itself since the moratorium.

For the benefit of the media and the public, I want to make it crystal clear that this is the House of Commons Standing Committee on Fisheries and Oceans, not the Senate Standing Committee on Fisheries and Oceans. So let it be clear we're from the House of Commons.

This morning we have with us the Honourable Tom Rideout, Minister of Transportation and Works from this lovely province, and Tom Dooley, director, sustainable fisheries resources and ocean policy, for the Department of Fisheries and Aquaculture of this province.

I believe you're going to split your time. Is that what was agreed?

A voice: No.

The Chair: You're not going to split your time. You're going to do it all? That figures.

The minister's going to take the full 15 minutes and then Mr. Dooley can jump in, if he gets the chance, on Q and A.

It's all yours, Minister. You have 15 minutes.

Hon. Tom Rideout (Minister of Transportation and Works, Newfoundland and Labrador, As an Individual): Thank you, Mr. Chairman.

I'm very delighted to welcome the committee to the province of Newfoundland and Labrador this morning on behalf of all of my colleagues in the government. I'm particularly delighted to welcome home our own members of Parliament: Mr. Simms, Mr. Matthews, and Mr. Hearn. I trust that you're glad to get back to the province again. We're certainly delighted to have you.

I want to congratulate the committee for undertaking this study of northern cod and the events leading up to the collapse of this once very important and viable fishery. The failure of the stock to return in 13 years since the moratorium is a mystery that no one to date has been able to solve. I applaud the efforts of the committee to search for the answers that have so far eluded all of us.

I'm here this morning on behalf of the fisheries and aquaculture minister, my colleague Trevor Taylor, who was unable to attend.

As the provincial fisheries minister for four years in the late 1980s, this is not a topic with which I am unfamiliar. Newfoundland and Labrador has had a relationship with the ocean for over 500 years. When John Cabot arrived in 1497, all his crew had to do to catch a cod was lower a basket into the water. In the centuries that followed, the rich fish stocks off our shores, particularly cod, became the lifeblood for thousands of our people.

Since the 1800s, the residents of Newfoundland and Labrador have struggled to control the areas off our shores. Decisions about fisheries management always seem to have been made by others. Make no mistake, there is a long history of our rich fish stocks being exploited for economic gain. Financial greed began to climax with the introduction of fishing vessels trawling the offshore areas, and especially when foreign factory freezer trawlers were introduced on the fishing banks of Newfoundland and Labrador. A ferocious international appetite for fish that had begun in the 1840s had reached unsustainable levels by the 1960s. The stocks have never recovered from the overfishing of over three decades ago.

The northern cod stock was once one of the world's greatest fish stock. Today there are virtually no fish in the offshore component of that stock. While there are concentrated pockets of cod in some bays, the overall biomass is only a fraction of what it was.

Many papers have been written describing what happened to the northern cod stock. These papers point to a number of factors. While the papers tend to attribute different weights to these factors, many of the factors are common and agreed upon as contributing causes to the decline of the northern cod stock. I want to speak today about the facts we know to be true with regard to the northern cod stock.

We know that historically northern cod ranged from Cape Chidley in Labrador to the Grand Banks off the east coast of the island of Newfoundland. We also know that this stock was the basis of our coastal and rural economy throughout this entire region. This stock supported the inshore fishery from the southern shore to northern Labrador for 450 years. This is a fishery that generally caught between 150,000 to 300,000 tonnes annually.

We know that the foreign catches of northern cod during the 1960s were unprecedented. In 1968 alone, foreign fleet reported—I underline reported—harvesting over 800,000 tonnes of northern cod. At the same time, inshore catches in Newfoundland and Labrador declined drastically.

The northern cod stock declined well below historic levels in the first half of the 1970s. In 1974, inshore catches in Newfoundland and Labrador dropped below the 35,000 tonne mark. Clearly the overwhelming cause of this collapse was foreign overfishing. This perhaps explains the long-standing preoccupation in this province with the activities of foreign fleets off our coast.

• (0910)

The extension of jurisdiction and establishment of the Canadian 200-mile exclusive economic zone in 1977 gave Canada control of most of the area occupied by the northern cod. The fact that the nose and tail of the Grand Banks remain outside Canadian jurisdiction to this day continues to be a serious problem.

The stock responded favourably to the end of the major offshore fishery carried out by foreign fleets. We saw growth in the stock in the late 1970s and the early 1980s. However, a number of factors caused this growth to halt, and we saw another rapid decline in the late 1980s and the early 1990s. We do know that the stock size was overestimated during the 1980s, resulting in inflated total allowable catches. This resulted in fishing mortality being higher than was intended for several years.

Fisheries science recommended substantial reductions in the total allowable catch in 1989, but only a marginal reduction was implemented. Almost 700,000 tonnes of northern cod was harvested between 1989 and 1992, despite the scientific advice. This stock was eventually placed under moratorium in 1992.

This leads into a discussion about why the northern cod stock has not recovered. While clearly there is a concentration of fish in a couple of bays along the northeast coast—and I am sure the committee would have heard that, particularly in Bonavista—overall there has been little growth in the stock and virtually none in the offshore areas.

Unfortunately, discussing why northern cod has not recovered, there's more that we don't know, but we do know that in the offshore there are virtually no fish older than five years old. This has been the case for several years. This is, in our view, the most important fundamental question: why are the fish not surviving past five years old in the offshore? Without older fish in populations, the prospect for recovery remains poor. I don't have the answer to this question, and to the best of my knowledge, no one does.

We can, however, consider some possibilities. The harp seal population—not many people want to talk about it—is estimated to be at approximately six million animals. We know that the estimates of cod consumed or otherwise killed by seals are high enough to be contributing to the lack of recovery. Seals compete for the same food sources as cod, such as capelin and herring. Perhaps the consumption by seals is the main reason we saw our capelin stocks decline.

I must add that the lack of research on the capelin resource in our region is of great concern to us, given its historic importance to the Newfoundland and Labrador marine ecosystem. Many believe capelin may play a key role in the rebuilding of northern cod, yet we know no more about capelin today than we did 20 years ago.

We do know that some of those young cod are spawning. Historically, first-time spawners were six to seven years old in this stock and now cod in the four and five-year range are spawning.

These fish are known to be in poor health after they spawn. Their post-spawning condition is poor enough that they don't survive and they are removed from the cycle or they become easy prey for the millions of seals in our waters.

Finally, we can speculate on the role of the environment in the lack of recovery. We know that during the 1980s and the first half of the 1990s we entered a period of extreme environmental conditions unfavourable to cod. Things have warmed considerably in our marine environment during the past decade. We hope this is a positive sign for cod, but the bottom line is that we simply are not sure.

The recovery of the northern cod is a serious issue. We have entered into a process with the federal Department of Fisheries and Oceans to develop long-term recovery strategies for all of Newfoundland and Labrador cod stocks. You will be hearing more about this in other presentations, I understand, later today.

In conclusion, the northern cod stock is not only economically important to this province, but it also has a social and cultural significance. Its recovery remains one of our government's priorities.

I want to take the opportunity again to thank you for this presentation, and I certainly look forward to engaging in a dialogue with any members of the committee who might have questions to pose. Thank you very much.

• (0915)

The Chair: Thank you, Minister. That was 10 minutes, excellent. Thanks very much. It gives us more time to ask some questions.

We will start right off with Mr. Hearn for 10 minutes.

Mr. Loyola Hearn (St. John's South—Mount Pearl, CPC): Mr. Chair, let me welcome my old colleague, the minister, and Mr. Dooley this morning. Thank you for coming.

The concern I think you have, Tom, is one that we all have, and it's why we're here. The committee wasn't asked or forced to come here, as I mentioned before. We came because we thought somebody had to generate debate on this very topic. It's no trouble to get a discussion or an argument going anywhere on the topic of fish, but to try to get all the sides.... And we usually talk about each other. The fishermen will complain about scientists. The scientists will say the fishermen don't know better, and it goes on and on. We thought if we could bring them all together along with other knowledgeable people, we'd get a lot of information around the table, and from our hearings so far I believe what we're seeing, as one hears the other, is that they all see that the bottom line is the same: we have major concerns, and collectively it will take all our efforts to try to do something about it.

One of the things mentioned to us in Bonavista, and the Clarendville area in particular, was the fact that fishermen say we are seeing more fish now in the bays than we have ever seen. You mentioned Cabot. They're saying that there are more now than when Cabot was here. They will admit, however, that it could quite possibly be just localized bay stocks, the extent of which we really don't know. It's their frustration. Is there enough there to sustain a small commercial fishery, a recreational fishery, or is it so localized, even though it might be compacted in local areas, that any effort at all would just slow down the rebuilding we're seeing? They seem to think it's probably spread a lot farther than it was two or three years ago.

What are you hearing locally in relation to the rebuilding of the inshore stock and, if anything, on the regeneration of the offshore stock?

● (0920)

Hon. Tom Rideout: Thank you, Loyola.

Generally speaking, certainly along the northeast coast, we are hearing a similar story. In my area in the Bay of Exploits, the Notre Dame Bay area, people who are involved in the commercial fishery like the blackback fishery and others actually had to shut down this year because of the tremendous bycatch of cod. That should be telling us something.

The frustration in relation to the cod stock, all around the northeast coast in particular, is that we don't know, and we're not apparently putting the scientific effort in to find out. And we need to know. Is there a rejuvenation of the bay stock, for the want of a better word, in Bonavista and Notre Dame Bay areas of the province that could lead to a commercial fishery? And if we could have a commercial fishery, I think the scientific facts and matters that could be gathered from such a fishery would be important for making future decisions, whether that be related to a food fishery or whatever.

The frustrating part is to hear the experts tell us that there's no recovery in this stock, when everybody knows, every fool knows, in those bays there are fish—and more fish than there were 10 years or 12 years ago.

On the offshore component, I think everybody realizes that this stock is still in tremendous difficulty, and we have to accept and work within those parameters and those boundaries. But I think we need to separate the two, and we need the scientific advice to be able to do that.

Mr. Loyola Hearn: When you were speaking earlier you mentioned the capelin, which is such an important component to the ecosystem as it relates to cod, and it relates to a lot of things. I think the phrase you used was that “we know no more about capelin today than we did 20 years ago”, and you've just mentioned again the lack of science.

One of the quotes yesterday from one of our professors actually was “in the absence of the knowledge, what are we doing to collect it?” They also talked about large gaps in surveys that are done. One guy I think gave a very good example. He said that if you wanted to estimate the population of St. John's and you threw a net around the beer tent on regatta day and then somebody else threw one around

the South Side Hills, you'd have two entirely different opinions of how many people live here.

How much correlation or coordination takes place between DFO, which is responsible for the offshore science, and the province in relation to the input of knowledge? Or is that a fair question to ask you, maybe from past experience, if not present?

Hon. Tom Rideout: There has been a high degree of cooperation in the past, and I would expect it still exists between DFO and the provincial Department of Fisheries and Aquaculture. Certainly there is an excellent relationship at the officials level and from time to time, depending on who's occupying what office, at the political and intergovernmental affairs level, but always at the officials level.

We're sharing and we're hearing the same things as you're saying, Loyola. I think the other piece of this is that there'll always be a requirement for a more dedicated scientific effort, and those of us who depend on that kind of advice have to insist on it. There has been a tremendous cutback over the years in the amount of resources dedicated to gathering scientific information, as we all know.

The other part of it, though, is that I think we also have to give a lot more weight to the advice and the experience of those who are engaged in the fishery. Back in the 1980s I remember we were accused of not listening to fishermen. All we wanted to hear was what the scientists were telling us. I'm not sure much has changed, and this is 2005. And if we made those mistakes back then in not listening to those people who were on the water every day and were telling us, “Boys, there's something on the go; the catch rates are not what they used to be; we've got to have twice as much effort to get half as much fish”.... If on the other hand now those who are engaged in other aspects of commercial fisheries like blackback and so on are saying they can't set their nets because instead of getting blackback, they're full of cod, well, isn't there a way to bring that ragged arse artillery advice to the table, so that we would know what we're talking about and take the advice of those people who are the real experts, the people who are out there every day trying to earn a living from it? We said no to it back in the 1980s, and unfortunately we're still saying no to it today.

● (0925)

Mr. Loyola Hearn: If you were the federal minister today, what would you do—or try to do, at least—about the foreign overfishing issue?

Hon. Tom Rideout: If I had a call from the Prime Minister and he asked me to the federal fisheries today, I'd say no, thank you.

I think we have to be innovative. I mean, the past hasn't worked. NAFO certainly hasn't worked to any great advantage for Canada. I think the public debate on extension of jurisdiction unfortunately hasn't generated or crystallized into something that has caught the fancy of the country. I believe there is a case to be made for the extension of jurisdiction...what's the right word? Custodial management. And somehow or another it's important and understood in Newfoundland and perhaps in other parts of Atlantic Canada, but I don't think it's become important and understood across this country. Perhaps that's a failure on our part, on all our parts, that people haven't grafted onto it.

But something has to be done. The status quo is not good enough. The status quo is not regenerating a stock that was the largest fish stock in the world, and there's something wrong. There's something wrong more than water temperatures. There's something wrong more than seals. There's something wrong, besides, that it appears that there's a rejuvenation and a regeneration inshore and there isn't offshore. One of those factors has to be that Canada has to have the ability to manage that stock in its entirety, which means the nose and tail of the Grand Banks and the Flemish Cap. We don't have that today, and until we do, my prediction is that we're not going to see much improvement.

The Chair: Mr. Dooley.

Mr. Tom Dooley (Director, Sustainable Fisheries Resources and Ocean Policy, Newfoundland and Labrador Fisheries and Aquaculture, As an Individual): If I could just interject for a second on the whole foreign overfishing issue, the province has developed a custodial management model. Just to let you guys know, there are three pillars to the model. The pillars are that decisions, including TAC decisions, be based on the scientific advice; that management measures that apply inside the line apply outside the line for the same stock—in other words, you can't have a stock that has certain conservation measures inside that don't apply outside, because you lose the value of it—and third, that for stocks in which Canada's a majority shareholder, Canada make the management decisions at the TAC, and whatever portion of those stocks is allocated to countries other than Canada, well, they would still fish it but they'd just fish it under Canadian rules.

This is just to try to clarify, because I don't think a lot of people have a full grasp of what we mean when we say “custodial management”.

The Chair: Thank you.

Well, speaking of clarifying things, you should know, and maybe you should remember, that this committee has twice unanimously recommended custodial management. This committee has gone to the European Parliament, to Iceland, to Norway, and to England to advocate and explain that to people, particularly at the political level. We still, I believe, are of that view—at least the majority of us.

As to why it hasn't captivated the nation, I really think—and I editorialize here briefly—it's because of the advice given by the justice department, particularly the international law lawyers, indicating that it cannot be done under international law, which I view as a typically Canadian timid approach to international legal questions.

However, that's the way it is, and I think we have continuously pressured the ministers, whoever they have been, and I think you've seen this minister—though I don't want to get political here—act and send out the navy and try to do something about this foreign overfishing on the nose and tail.

So I just remind people that you've certainly got this committee on side; there's no doubt about that.

We now go to Monsieur Blais, *s'il vous plaît, pour sept minutes*.

Allez-y, Monsieur Blais.

• (0930)

[*Translation*]

Mr. Raynald Blais (Gaspésie—Îles-de-la-Madeleine, BQ): Thank you, Mr. Chairman.

Hello, gentlemen.

I'd like you to provide a few more details on certain parts of your presentation, Mr. Rideout. In particular, you started by saying that you were going to present us with facts, not rumours.

What kind of rumours are you talking about, and who was circulating them?

[*English*]

Hon. Tom Rideout: I'm sorry, but I don't think I got the gist of the question. Perhaps you could repeat it.

The Chair: Mr. Blais said that you indicated that various people were giving evidence, but who is giving evidence or opinions not based on fact?

Hon. Tom Rideout: That's not the spin I would put on the remark at all. It's not that people don't think what they're presenting is fact, but just that there is so much floating around that we don't have scientific advice to back up it up or to determine whether or not is fact. These could be allegations or things that people believe to be facts, but we don't know whether they're facts or not.

But there are certain things that we do know, and that's what I said in my presentation. We do know that there are six million harp seals out there; the Department of Fisheries and Oceans did a study certifying that. We do know there are very few, if any, northern cod in the offshore sector. That is not an allegation or a supposition, but a fact.

So that was the kind of tack that I took in my presentation, not to accuse anybody of deliberately misleading or of presenting things that are not necessarily factual, but just to make the point that in certain areas people make certain statements and suppositions and we don't really know if they're facts or not. We don't have the scientific or the knowledge base to be able to determine that.

[*Translation*]

Mr. Raynald Blais: I want to get a clear understanding of your answer. For that, I'd like you to tell me exactly what kind of rumours you're referring to. Who started those rumours? You say you have facts, about seals, for example. Can you give me an example of these kinds of rumours that can't hold up?

[English]

Mr. Tom Dooley: I will give you just one example. Again it relates to the fact that there is a lot of uncertainty around science, and fishery science. We all know that there is a degree of error in that.

Minister Rideout mentioned seals. We know there is a huge seal population out there and we also know that they consume some cod, but we don't have a good estimate on how much cod they consume. We understand it is having some impact on recovery, but we don't understand the extent of it, because we just don't have the information.

I can't name names, but people have speculated that they consume millions of tonnes. Other people say no, they actually consume some of the predators of cod so the large seal population is a good thing. I have also heard that.

We try not to get into that debate, and just talk about things we know, such as that we know there is a huge seal population out there. We know its impact on the recovery is there, but to what extent we really don't know.

[Translation]

Mr. Raynald Blais: You mentioned that scientific data are not enough, that there are budget cuts and that not enough money is allocated. What requests did Newfoundland and Labrador make of the federal government in this matter? Were those requests repeated? Have they been made for a number of years now? What kind of answers did you get? If there's still a lack of significant or essential scientific data on conservation or re-establishment of the cod resource? What is the Province of Newfoundland and Labrador doing, or what does it intend to do?

• (0935)

[English]

Hon. Tom Rideout: I think it is fair to say that every government of this province, no matter what the political stripe, has, on a continuous basis, encouraged the Government of Canada and tried to convince the Government of Canada of the importance of increased scientific research in our fisheries to try to expand our fisheries-based knowledge.

Of course, there have been cutbacks in the scientific component over the years, and in some areas of research, of protection, there has been increased expenditure, as the chair referred to, in terms of surveillance and so on. Without contradiction, there have been reductions in the scientific resources over the last number of years.

What is Newfoundland doing about it? We have attempted to partner with the Government of Canada and Memorial University, for example, here in our province in terms of expanded scientific research into northern cod and other areas of our fishery. The responsibility for fisheries management, which would include the necessary research, rests with the Government of Canada.

[Translation]

Mr. Raynald Blais: I understand that that's its responsibility, but in view of the importance of this subject for you and the communities, what are you going to do if there's a lack of action? If that's the case, you'll be in the position of waiting, and there's a

risk associated with that. Have you taken or considered certain measures?

[English]

Hon. Tom Rideout: I can tell you what we are not going to do, Mr. Blais. Unless the federal government wants to transfer over the adequate financial resources for us to take on the responsibility, we are not going to take on the constitutional responsibility of the Government of Canada. We're not going to take it on voluntarily, but we have over the past number of years partnered with the Government of Canada through our own educational resources, again, like Memorial University, and we've put our money where our mouth is in terms of helping to fund some of those research projects.

I suppose technically and theoretically we shouldn't even be doing that because it's not our responsibility. Our responsibility for the fishery in terms of how the jurisdiction is split happens when the fish come on the wharf and we take over. When the fish are in the water it is the responsibility of the national government, the Government of Canada.

Despite that, we have been very active partners in funding research, in funding chairs at Memorial University into this, and so on, but we are not going to voluntarily, and without whimpering, take on the responsibility of the Government of Canada for fisheries management not only in Newfoundland and Labrador but also in all of Atlantic Canada, because the fish don't know where the lines are.

The Chair: Thank you very much.

Merci, Monsieur Blais.

Mr. Stoffer.

Mr. Peter Stoffer (Sackville—Eastern Shore, NDP): Thank you, Mr. Chairman.

Thank you, gentlemen, for your presentations this morning.

Sir, you talked about the constitutionality of the federal government's responsibility. As you know, there's a group of Newfoundlanders and Labradorians who are taking the federal government to court over the three-mile limit. They're talking about the fact that in the terms of union we never gave up the right to provincial management of the three-mile limit. That's their opinion.

Is this something the provincial government is supporting, or are you just taking a wait-and-see attitude?

Hon. Tom Rideout: No, Mr. Stoffer, we're not involved as a government at all in that proceeding. If I could briefly speak as a lawyer, neither would I advise my colleagues to be involved at this point in time.

Mr. Peter Stoffer: We heard a very interesting comment from a fisherman the other day. He said that the cod are having an effect on his crab quota. It led me to believe that he would have preferred to catch crab rather than cod because there's more money in crab.

Do you have any figures on what the economic value of the fishery was, in terms of northern cod, to Newfoundland and Labrador prior to 1992 and what it is now? What's happened now is we've turned to shellfish. How has the economic value to the province been affected? Is it equal, or is there more money coming into the province because of the shellfish—or is there less?

● (0940)

Mr. Tom Dooley: I'll try to answer that.

As far as the landed value of the fishery goes, it has been greater in the last number of years when the crab quotas have been higher.

On the issue around the switch from a groundfish to a shellfish industry, the biggest impact has been at the processing level. The numbers of people and numbers of plants required to deal with shrimp and crab are significantly lower than the numbers involved with the groundfish when we were catching several hundred thousand tonnes of groundfish. The biggest impact has been for plant workers and people involved in processing.

Mr. Peter Stoffer: As you know, Mr. Rideout, a while back there was an all-party committee from Newfoundland and Labrador that presented its case for custodial management, something that this committee of all parties supported. The other day we heard from Professor Hutchings. He indicated that listing cod as an endangered species—although not a recommendation the fishermen would like to see, at least the ones we spoke to—would let us use a clause in section 4 in there, which would mean that quite possibly we could extend custodial management on the nose and tail. Is this something the province has looked into? And if it has looked into it, is it something the province would support?

I can't speak for the federal government, but I think if they were going to extend custodial management by the listing of the endangered species that they would probably want provincial buy-in to that. Is it something you've had discussions with the federal government about, and what would be the opinion of the government?

Hon. Tom Rideout: I can't say whether it's something that we had discussions with the federal government on or not, unfortunately. My colleague would have to respond to that. But I can say this: we would be very cautious as a government before we would publicly support, at this point in time, listing cod as an endangered species. We think there has to be a lot more work, scientific effort and everything else, put in to understand and make an intelligent determination of whether this would be an appropriate step to take at this point in time or not. We're not on the band wagon at this point in time, but that's not to say that we wouldn't be if it were necessary.

Mr. Peter Stoffer: This is my last question, sir. You talked about the—

Hon. Tom Rideout: Do you mind if we give Tom just a moment to comment?

Mr. Tom Dooley: On your question of whether we have engaged in a discussion with the federal government on that issue about listing related to custodial management, the answer is no. I guess our position is well known on custodial management, but the federal government's position is not custodial management. As you know, it speaks on the international management issues. We really haven't engaged in a thorough discussion with the federal government on custodial management because it's not the position it wants to pursue.

On the listing and how it would help extend custodial management, I'm not a lawyer, but if it gets listed as an endangered species, then it's covered under the Species at Risk Act. To the best of my

knowledge, that's Canadian legislation. How would that then translate into custodial management outside of Canada's 200 miles? It doesn't add up to me, how listing it will help.

Mr. Peter Stoffer: There's a section in there that says we have authority on the bottom species, which is everything that crawls along the floor and anything that clings to the floor, such as sponges, crabs, or whatever. It would give us the authority because of the endangered species act.

Would listing the cod as an endangered species be something that the provincial government would support or would not support? The fishermen are saying quite clearly that they don't want it listed. They simply don't want it listed. It would be interesting to see what the viewpoint of the provincial government is on listing cod as an endangered species.

Hon. Tom Rideout: I made it clear, Peter, that based on the knowledge we have at this point in time, we're not prepared to go there. But that's not to say we wouldn't go there if there was more evidence.

The Chair: Thank you, Mr. Stoffer.

Before I go to my colleagues on the Liberal side, I have two things.

On the point that Mr. Stoffer was pursuing, we're looking for suggestions. Obviously, what has been recommended in the past hasn't worked.

One of the suggestions that were given yesterday was an innovative interpretation of the Species at Risk Act, in particular section 4. You might want to review the transcript of the evidence, if nothing else, and take a look at section 4. Depending on how one interprets that, at the very least, it could perhaps prevent bottom trawling on the continental shelf. You extend your jurisdiction one little step at a time. I'm not saying we're going to recommend this, but it was at least an innovative suggestion that I certainly think none of us had heard before.

Minister, there is one thing in respect to your answers to Mr. Blais. As you know, in 2003 there was a Newfoundland and Labrador Royal Commission on Renewing and Strengthening Our Place in Canada. In the conclusion, the report said: "This is the last chance for the fishery. Both governments have an obligation to ensure that this chance is not lost."

They made certain recommendations. One of them was the following: "Negotiations on joint management to take place as soon as possible. This process should not be complicated by demands for a change in the Constitution, including the Terms of Union."

Given your answer about the jurisdictional problems, can you tell us or do you know whether there are any current negotiations between Newfoundland and Labrador and the Government of Canada on co-management pursuant to that recommendation of the royal commission?

● (0945)

Hon. Tom Rideout: To my knowledge, there are not.

The Chair: Okay. Do you know whether or not the province has tried to get it going?

Hon. Tom Rideout: I can't answer that.

Can you answer, Tom?

Mr. Tom Dooley: We're not engaged in formal joint management discussions with the federal government, but we are engaged with the federal government in developing a long-term recovery strategy for cod stocks. It really relates to the topic of your hearings. You'll get a presentation on that later today, I believe, from the two co-chairs.

For us, this is a little different because we're generally almost a client of the federal government. They advise us and look for our input, but they make the decisions. In this process, we're actually at the table developing the criteria and the measures with the federal government. We see this as a step towards more provincial involvement in fisheries management. It is the first step, and the model seems to be working fairly well.

The other thing goes back to the whole question on science. When the reports are finished in relation to cod, we're going to have some science priorities identified. The province will engage in a discussion with regard to possibly contributing funding to this. I can't commit any funding, but we're certainly planning to engage in the discussion of provincial participation in some of these initiatives.

Things have changed a little over the last couple of years. On the cod action team, we're an equal partner with the federal government in developing this, which is a little different for us when it comes to fish management decisions. We have taken a step in that direction.

The Chair: Thank you very much.

I'm sorry, colleagues.

Mr. Matthews.

Mr. Bill Matthews (Random—Burin—St. George's, Lib.): Thank you very much, Mr. Chairman.

Minister Rideout, Mr. Dooley, welcome. It is good to see you here.

When Mr. Rideout came into the lobby up there, I was chatting with a group of financial planners that I knew. It didn't strike me that Tom was coming to appear before us, and I said to him, "I thought you were going in to talk to the financial planners". He said, "Why would I be going in there, Bill? I don't have any money". It crossed my mind that since we came down here, Tom, we're here all day talking about no fish, so I guess we put this in a greater priority.

To follow up on Mr. Stoffer's and our chairman's comments about outside of 200—and this is more of an observation—it came up yesterday when one of our witnesses started talking about listing cod and species at risk, endangered species stuff, that if that is enforced then you couldn't catch a cod for bycatch. If you were fishing for mackerel and caught a cod, you'd be charged or be a criminal and all this other stuff. So I guess it twigged in some of our minds during that testimony that if Canada were to enforce this legislation, wouldn't that have some implications for what went on outside of 200, where we have our friends waiting to scoop up our cod as it goes outside? Would that then put an end to that? Can you imagine how ironic it would be that if we as a government, as a country, were

to enforce this kind of legislation within our own waters, yet the same thing continues outside?

That's sort of the perspective that was raised yesterday, and I wondered if that would then mean that we'd ban that activity outside of 200. I simply raise that as an observation.

To the minister, I want to follow up again. You talked about the 1980s and you talked about now. In the 1980s, fishermen did give thousands of warnings that things were radically wrong out there and we were headed for collapse. But they were ignored. I think it's fair to say—and maybe you agree or don't—but back then we had more fisheries research than we have now, but still we ignored them, and we know what the result is today.

Of course, the fishermen then were willing to take a hit, because it was their future. That's why they gave everyone the warnings. Now these very same people, who in today's world are really the only people out there on the water collecting any kind of data, particularly in what we call the inshore component, are being completely ignored again.

Can you expand on that for us? What's your observation on it? How do we get around this? If we're ignoring the advice now of the only people who are on the water, where are we really headed again? I mean, they'll never be allowed to catch cod, so is it your opinion or observation that until the cod show up in their ports, we won't allow them to catch them?

• (0950)

Hon. Tom Rideout: Mr. Chairman, our colleague here has certainly put his finger on what continues to be a dilemma in trying to engage the advice from those people, who are not scientific experts but are the experts on the other side of the coin, those who fish the oceans and fish the species, who know their migration patterns, who know there is evidence of rejuvenation, but when they share that with the scientific managers it gets discounted.

It's the very same thing that happened in the 1980s when they were sharing a story of reverse, that we were heading for disaster. How you square the circle I don't know. I guess there has to be direction to our managers to engage the people who have the knowledge of fishing the oceans and give appropriate weight to their experience.

We do that as managers of wildlife resources, for example, by listening to the people who harvest the wildlife, particularly in aboriginal situations. I happen to be Minister of Aboriginal Affairs as well, and we seek their advice in terms of developing management plans for various wildlife species, like caribou or whatever, because they're the primary users. They know from experience and from their history and so on what signs to look for. We give weight to that. But for some reason or other, there doesn't seem to be any willingness to do that in fisheries science and fisheries management. Frankly, I was part of the mistake in the past and I don't see any evidence so far that it's changed.

Mr. Bill Matthews: Thank you very much for that.

I want to conclude my questioning and observations on something that has really shown up.... You referenced the six million seals. We heard a gentleman, in our hearings on the first day or so that we were there, tell about how a seal showed up on his mother's porch—a true story.

They are very plentiful. We know that DFO's own survey last time showed, I think, 6.2 million harp seals. I think there are another 1.5 million or 2 million hood seals that they say are even more dangerous with consumption because they can dive deeper, and so on. That was an interesting observation we heard during the last couple of days we've been here.

Mr. Dooley, I want to follow up with you. I'm not suggesting that seals are the full cause of our problem, but they're one of the important factors. There are any other number of factors. If we're going to deal with this issue, there are a number of factors that, as the Government of Canada, we have to deal with, and in my view, seals are one. I feel very strongly about that.

I listened to what you said, and you almost said we really don't know how much seals eat. That's really what you said. I'm of the opinion that somewhere I've heard or read, and I thought it was pretty much as factual as it could be, that a harp seal will consume somewhere in the vicinity of a tonne of fish resource a year. That's capelin, herring, or anything, I guess, because they're opportunistic feeders. So I guess if they're hungry, like me...if I'm hungry, I'll eat a Big Mac even though I might not want to.

I just have to take exception to that, because it seems to me that the conventional wisdom is that seals eat a hell of a lot of fish resource of different types. If you're taking it out of the ocean, it could be one or two things, of course. It could be consuming food that cod needs, or I think you said the other side of it is that it could be consuming something that's to the benefit of cod.

• (0955)

Mr. Tom Dooley: I didn't say that. I said I have heard people say that.

Mr. Bill Matthews: All right, then we've both heard people say stuff.

It came across to me like you're almost downplaying the amount consumed by seals. Maybe I'm wrong to take exception to that, but I did.

Mr. Tom Dooley: That's okay. I can clarify. I was responding to the question over here about facts and what's fact and what's not. I was just using the amount. We really don't know how much cod is consumed by seals.

I agree with everything you said. We do know seals eat cod, but as to the extent or the mortality by seals, the point was that we don't have enough scientific information to tell us, within any kind of reasonable level, the amount of cod that's directly consumed by seals.

On the seal issue, I think you're right, one of the biggest impacts could be the fact that it competes for the same prey as cod, in herring and capelin. The biggest impact that seals are having may actually be on keeping the capelin stocks low...which a lot of people believe will

draw the cod stocks back to a healthy state, because it's their primary feed.

So I was just trying to clarify the uncertainty.

Mr. Bill Matthews: I accept that, and your point on that is that it could tie very much into the minister's observation about the health of cod, particularly that now they're spawning younger and they don't seem to survive afterwards. So all that may be related.

Hon. Tom Rideout: If I could just make one comment, though, I think this is the fundamental issue. Isn't it rather ironic that we sit here today, in 2005, and have people be able say legitimately that we don't know, we don't know the effect of the population of the seal herd on other species? We just don't know. Isn't that the fundamental point?

It's like Morrissey Johnson, one of your colleagues in the House, said only a few years ago: "I can tell you one thing, Mr. Chairman. They don't eat turnips".

The Chair: Mr. Simms, you have time for one question.

A voice: Make it a good one.

Mr. Scott Simms (Bonavista—Gander—Grand Falls—Windsor, Lib.): Yes.

Minister, Tom, it's good to see you this morning. I'll ask a very quick question and you can elaborate on it, because he'll probably be more generous with you on the time than me.

I just want you to describe what it is like in your particular riding with the situation we have now, the fact that we have a downturn in the crab industry and what not, and also elaborate on what a limited commercial fishery would do in your neck of the woods, in our riding, for the people there.

Hon. Tom Rideout: Thanks, Scott.

I think a limited commercial fishery would be very significant in our part of the northeast coast. I represent Lewisporte district, of course, which is solely within Scott's riding. But it's not only the Lewisporte district; there's Twillingate, there's Fogo. All of those places that were exclusively dependent on groundfish at one point in time would have an opportunity to be diverse again.

The crab quotas are down. The market is soft. There's an expectation that the crab quota will be down again next year. So if there was an opportunity, based on real evidence, to have a limited commercial groundfish fishery in that area, it would be significant to the economy and to providing economic opportunities to people in the processing sector. There's no question about it.

Mr. Scott Simms: So you would be in favour of a limited commercial fishery.

Hon. Tom Rideout: Based on proper evidence, yes.

The Chair: Thank you.

We have time for one pointed question from each of the parties.

Mr. Keddy.

Mr. Gerald Keddy (South Shore—St. Margaret's, CPC): I'm just trying to think of which way to point.

In the discussion and the testimony we've heard up to this point, gentlemen, there has been a fair amount of discussion about, and certainly we've always supported, extension of Canadian jurisdiction outside the 200 miles, specifically the Flemish Cap and the nose and tail of the Grand Banks.

I have heard testimony that perhaps that is a lot more difficult to do than we think and about how would we go about it and what's the precedent. In 1977 we claimed the 200-mile limit, and 1,637,000 plus kilometres of territory were added to Canadian jurisdiction. We seemed to be able to do that okay.

I just wonder if you see what the hang-up is. What's the holdback? What is the main reason? International law is flouted in every other instance when it's convenient for the foreign fleet. What do you see as the main reason for not claiming the nose and tail and the Flemish Cap specifically?

• (1000)

Hon. Tom Rideout: I will be as specific as I can. My view is that the political will to do it doesn't exist. It exists around this table but it doesn't exist where it counts, and that's in the Parliament of Canada. It is as simple as that, in my opinion. That is not to say the objective is simple, but the political will to go after the objective simply doesn't exist.

The Chair: Mr. Hearn has a point of order.

Mr. Loyola Hearn: For the record, Mr. Chair, the minister said that it doesn't exist in the Parliament of Canada. The Parliament of Canada actually approved a resolution supporting this—

Hon. Tom Rideout: The Government of Canada. Excuse my words.

The Chair: Thank you, Mr. Rideout.

Monsieur Blais.

[*Translation*]

Mr. Raynald Blais: As regards the structure of the stocks, Mr. Simms referred in passing to the reopening of the inshore fishery. Do you agree with those who say that the structure of the stocks is such that we have at least two different stocks, offshore and inshore, and that, reopening the inshore fishery would not be as harmful to the resource as it was in the past?

[*English*]

Hon. Tom Rideout: The anecdotal evidence seems to suggest that certainly there are significant bay stocks in a couple of bays around this province—Bonavista Bay and Trinity Bay in particular. The people who are involved in the industry, who are still left in the industry, tell us that, and I think we ought to give significant weight to it. I also think we are going to have to have some additional scientific information to back that up and to suggest that it is correct.

There seems to be a significant amount of evidence before us to suggest that there is a significant inshore component. That wasn't apparent when you had all this fish coming inshore from the offshore, but it appears to be apparent today. I think it is something that we would be fools to ignore, quite frankly.

The Chair: Mr. Stoffer.

Mr. Peter Stoffer: Thank you, Mr. Chair.

We know that seals may be part of the problem over a myriad of other problems. If I'm not mistaken, this year the minister has to make a decision on seal quotas for the next three years. Right now I believe it is around 330,000 and a million over three years.

Depending on market availability, if markets were able to accept an increase to that amount, would an increase to a harvest of the seals be something that the province of Newfoundland and Labrador would support?

Hon. Tom Rideout: Absolutely.

The Chair: Pointed question; pointed answer. Excellent.

Mr. Murphy.

Hon. Shawn Murphy (Charlottetown, Lib.): Yes, thank you very much, Mr. Chair.

I just have, I guess, a macro or socio-economic issue comment. We've heard from Bonavista Bay and we've heard of the devastation, which you people have seen first-hand over the last 15 years, basically destroying a way of life in rural Newfoundland. But as Mr. Dooley said, the actual catch of the fish by the industry itself is actually higher now than it was—

A voice: The value.

Hon. Shawn Murphy: The landed value. But it's had a devastating effect on the plants that were built in a lot of these communities. The latest example I see is Harbour Breton. It must be very challenging for a government to deal with these situations.

But then, on the other hand, we hear evidence that Atlantic fish and Newfoundland fish are being transported by container to China, processed there, and shipped back to Canadian stores and bought here, which is really troubling.

Is there any long-term strategy to look at this to see if we can make our local plants, our local processing sector, more competitive so that this won't happen?

• (1005)

Hon. Tom Rideout: Well, take the crab industry, for example. The province has had regulations for many years on crab going out of the province in an unprocessed state, to the point that from time to time fishers have been critical of the province for not allowing that to happen, because they think there's some evidence to suggest it keeps the price down within the province and makes us non-competitive in Atlantic Canada, and so on.

We try as best we can to regulate, and it's our responsibility as a province to try to regulate the industry internally within the province and to try to keep the maximum number of processing jobs available in the province. That's not to suggest that we're not subject to international pressures, like what's happening in China these days, for example. We are, but our first order of business and our first priority is to have the maximum amount of processing carried out in the province, the maximum amount that can be sustained in the province.

The Chair: Thank you, Minister.

Mr. Dooley, thank you very much for a very quick hour. We very much appreciate your answers.

I'll suspend very briefly while we change witnesses.

I call Gabe Gregory, please.

•(1007)

_____ (Pause) _____

•(1013)

The Chair: Okay, I'd like to get started, please. We're ready to go.

Colleagues, members of the public, from the Fisheries Resource Conservation Council, we have Mr. Gabe Gregory, who is the vice-president.

Welcome, sir. You have provided us with a PowerPoint deck in both official languages, so thank you very much, we appreciate that. Just so you know, you have up to, but you don't necessarily have to use, 15 minutes for your presentation, and then there'll be questions and answers where you can flesh out whatever you didn't get a chance to in the first 15 minutes.

Mr. Gregory, we look forward to hearing about what you have to say. Please begin.

Mr. Gabe Gregory (Vice-President, Fisheries Resource Conservation Council): Good morning. Thank you for the opportunity to come and present. My name is Gabe Gregory. I'm vice-chair of the Fisheries Resource Conservation Council.

First, I'll give some background on the FRCC. I'm sure that many of you, or all of you, are probably quite familiar with the Fisheries Resource Conservation Council. Then I'd like to put our work into some context and close by making some points on 2J3KL cod, which I think is the principal item on your agenda. You can follow along with my presentation.

The FRCC was created in 1993 by the Minister of Fisheries and Oceans. At that time it was established really with a mandate to review, in detail, the Atlantic groundfish stocks, the resources and the industry, particularly in regard to concerns of conservation and sustainability. At the time a lack of trust had developed among the various stakeholders in the Atlantic groundfish industry, and relationships among the industry, individual fishermen, scientists, and fisheries managers had deteriorated.

The council really replaced two former advisory bodies of the Government of Canada: the Canadian Atlantic Fisheries Scientific Advisory Council, or CAFSAC, as it was known; and the Atlantic Groundfish Advisory Committee, AGAC. At the time, the fisheries were under moratoria. The minister established the FRCC as a partnership among the government, the scientific community, and the stakeholders in the fishery.

Since 1993 the FRCC, from time to time, has made detailed recommendations and reviews and has issued public reports on 2J3KL cod stocks, particularly from 1993 to most recently in 2003. Since then, and currently, the council is not tasked to review or recommend the specific annual groundfish TAC for any of the groundfish stocks, and really the direction of the council has changed over the past 18 months or so.

Our new direction is really focused on the major strengths of the FRCC, which are based on credible public consultation processes. We have extensive public consultation processes in place with the industry, with science. There's an arm's length structure in place,

with wide representation on the council, with currently 11 members made up of academics, fishermen, processors, scientists, provincial representation, and key DFO staff.

The first major task that the council performed under its new mandate was to review the Atlantic snow crab resource and the fishing practices in that particular industry. We released this strategic report on the snow crab industry in Atlantic Canada in June 2005. It's called the *Strategic Conservation Framework for Atlantic Snow Crab*.

I will turning to the 2J3KL cod stock. As I noted, the council provided advice over the years 1993 to 2003. I will briefly summarize some of that advice.

We advised to maintain a moratorium for the period from 1993 to 1999. In 1999 the council recommended a limited fishery. At the time there was quite a debate about the scientific estimates and other independent estimates that were made of the cod stock in 2J3KL, and there was a recommendation to have a fishery of between 6,000 and 9,000 metric tonnes, as well as a number of other recommendations to ensure sustainable fisheries.

In its 2001 report the council recommended the continuation of a sentinel fishery, which came out of recommendations to the council in the early 1990s. Following the moratorium was the establishment of a sentinel fishery and an index fishery capped at 5,600 tonnes, as well as a series of other recommendations based on collaborative programs with the industry. Following these initial fisheries, it was the council's view after review with science and public consultations that the northern cod stock could not sustain these levels of catches. In fact, the indications and trends were toward further declines.

•(1015)

Following that, in 2004, the council recommended that there be no directed commercial fishery and that the total removals from northern cod be limited to 1,500 tonnes for a period of five years. The recommendations focused on making cod available to commercial fishermen as a bycatch fishery only and the continuation of the sentinel fishery. This is a fishery whereby groups of coastal fishermen all along the coast to 2J3KL cod stock participate in a program in which there is controlled fishing activity with limited effort. They monitor and record all of their catches and take information for science to assess the coastal stocks. In addition, the council recommended no recreational fishery.

There were other measures specifically focused on protecting habitat and known areas of aggregation of cod in the northern area, particularly in the Smith Sound area of Trinity Bay. There was a recommendation for the establishment of coastal fisheries councils. These would be comprised of expertise within the fishery in local areas to manage the stock and to establish conservation measures within six nautical miles of the coast. Specifically, one of the tasks that was recommended for such inshore councils, or coastal councils, was to monitor seal populations' predation on cod and to give these councils a mandate to implement control measures for seals. Where seals were known to be present and preying on cod in numbers, these councils would have a mandate to take measures to control seal populations in these areas.

In addition, the FRCC recommended that the capelin fishery be maintained at the level where it has been for the last five to ten years, with no significant increase in harvest, because capelin of course is the major food for cod stocks and critical to their rebuilding.

There was a recommendation for enhanced research, particularly in relation to the ecosystem, not only in regard to the cod but to look at further scientific research into seal populations, shrimp and other species in the ecosystem and their effects on the cod populations.

There were recommendations to establish protected areas in known spawning and juvenile habit for northern cod, specifically in the Hawke Channel, which is off the coast of Labrador, and in and along the Bonavista corridor, which is a channel running out to the offshore, which is a primary migratory path for cod.

There were recommendations to continue to monitor and reduce bycatches in other commercial fisheries, and as I indicated, this was a program that was put forward for a five-year period and recommended a full review after that five-year period.

On the next slide there are examples of the areas that were identified where there is need for protection. Right now there is established within the Smith Sound a protected area around there where only coastal fishermen in that specific region are permitted to conduct commercial activity, and the aggregation there has been protected since recommendations were made in the early 1990s. The other areas remain somewhat of concern as to measures that could enhance the rebuilding of cod populations.

• (1020)

In conclusion, the FRCC has proposed a broad suite of conservation-oriented recommendations based on a continued partnership between fishermen and governments. The Minister of Fisheries and Oceans has adopted and endorsed a number of these recommendations.

In conclusion, it's the FRCC's view that northern cod stocks will really take decades to rebuild.

Thank you.

The Chair: Thank you, Mr. Gregory.

I just have a couple of questions to make sure I understand things, before we go to the questioners. On the slide context, you said that the council had not reviewed northern cod stocks since 2003, and then you later said that there were 2004 recommendations for the cod stocks.

• (1025)

Mr. Gabe Gregory: Yes, the review was conducted based upon the signs and data available up to 2003, and the recommendations were put forward to the department to be implemented for the coming season of 2004. It was towards that conclusion.

The Chair: Okay, thank you.

You said that one of the recommendations was to reduce bycatch and make "it"—presumably "it" being the bycatch—the property of the crown. What does that mean? How did the FRCC see that working?

Mr. Gabe Gregory: The recommendation was for the bycatches of cod occurring in the offshore areas in commercial fisheries, such

as the shrimp fishery. The recommendation, specifically, was for a regulation that all catches of cod be maintained on-board the vessel, irrespective of the size of the fish, and be brought in and be landed and monitored, because in fisheries such as that, often these bycatches are not required to be landed. They are discarded at sea. It's not illegal to do the discarding, but that was the context of that recommendation.

The Chair: Okay, but then what happens? Presumably it takes extra fuel to bring them to port. Then what happens to the fish?

Mr. Gabe Gregory: Well, it was recommended that the fish be turned over to the DFO, and then the fish would be available to be monitored and there would be control over the quantities, the size, or extent of bycatches in commercial fisheries. Right now, I don't—

The Chair: I'm sorry, Mr. Gregory, but my question is, once all that happens, what happens to the fish? Is it garbage?

Mr. Gabe Gregory: Yes, discarded fish go back to the sea, or over the side.

The Chair: All right.

Finally, you recommended amounts between 6,000 and 9,000 tonnes in 1999. I just want this to be clear: is this a combined recommendation for inshore and offshore, or were you thinking of inshore, or what was the idea?

Mr. Gabe Gregory: In 1999, the limited commercial fishery that was recommended was only in the coastal area. There was a recommendation to maintain a moratorium in the offshore areas, and that has continued since the closure of the fishery in 1993. As I said, that recommendation was in the context of the period 1999 through early 2000 and 2001. Since then, the council has recommended a reduction in the total allowable catch, and only a bycatch fishery limited to 1,500 tonnes.

The Chair: Okay, thank you very much.

Mr. Kamp.

Mr. Randy Kamp (Pitt Meadows—Maple Ridge—Mission, CPC): Thank you, Mr. Chair. You've raised some of the question that I had, which is good.

The Chair: I get so few opportunities to ask questions, I apologize for stepping on you.

Mr. Randy Kamp: No, that's fine. I will be sharing my time with Mr. Keddy—in theory, at least.

Some hon. members: Oh, oh!

Mr. Randy Kamp: Thank you, Mr. Gregory, for that good presentation.

I'm from British Columbia, so all of this is a crash course in northern cod. It's been good for me.

How would you describe yourself, as an advisory body? You have no real power to implement any of your recommendations, right?

Mr. Gabe Gregory: That's correct. Our mandate is to conduct public consultations with interested stakeholders. We have a track record of holding public consultations with a broad representation of the public and interested parties. Yes, our role is advisory to the Minister of Fisheries and Oceans for Canada.

Mr. Randy Kamp: So your understanding is that the minister is the one who is ultimately responsible for the recovery, or non-recovery, of the northern cod?

Mr. Gabe Gregory: Yes, the Department of Fisheries and Oceans is the sole regulator and manager of the fishery off the coast of Newfoundland, and it's entirely within their responsibility to take recommendations, consider them, and make decisions in regard to how the fisheries are regulated and managed.

Mr. Randy Kamp: Since 1993, let's say, has it been your opinion or observation that there has been a coherent recovery strategy in place?

Mr. Gabe Gregory: A long-term recovery strategy is being worked on at this time, I think, but it is not in place, to the best of my knowledge.

Mr. Randy Kamp: But this is a dozen years later. Would it not have made some sense, when we saw the stock collapse and we put the moratorium in place, that one of the very first things somebody somewhere would have been at work on is something called a recovery strategy, a plan to see this stock recover? That's a comment. Was there no recovery strategy?

Mr. Gabe Gregory: To the best of my knowledge, no recovery plan has been developed at this time.

Mr. Randy Kamp: And it's only now, as the former witnesses said, that they have something together that they're ready to present to somebody soon. Is that right?

Mr. Gabe Gregory: Yes. In the last year and a half of so there has been a committee working on a long-term recovery strategy. I don't think they're finished their report at this time.

• (1030)

Mr. Randy Kamp: Do you have an opinion about why it's taken so long?

Mr. Gabe Gregory: I don't really have an opinion about why it has taken so long.

I'm here representing an advisory body. As a body, we certainly were never asked or tasked to create such a long-term plan, although that is the track that the council is on now with regard to other Atlantic species. As I just indicated, we put forward a major framework for Atlantic snow crab just this past year.

I think this is something that's evolving. The timing obviously speaks for itself. It is 12 years after the moratorium and we don't have a recovery plan for northern cod.

Mr. Randy Kamp: That's baffling to me, but maybe I'm missing something.

Mr. Gerald Keddy: No, you're not.

Mr. Randy Kamp: In retrospect, was opening the fishery in 1999 a mistake?

Mr. Gabe Gregory: In the council's view—and we do give considered opinions, because we consult broadly with the fishing industry and the fishermen themselves, as well as the scientists and other interested parties—a moratorium with no fishing activity of any kind is problematic because then we become reliant solely upon DFO science.

As anybody knows who's been around the Atlantic fishery for the last decade, the level of research and science in the DFO, and the resources dedicated to DFO science—and in respect to northern cod as well—have been in decline consistently over the decade and are continuing to decline as we speak. It is important that we do have monitoring and data, and a limited sentinel or index type of fishery has always been regarded by the FRCC as a positive thing. It maintains a partnership with the stakeholders. They do participate in the sentinel fishery under very specific, rigid protocols, and the monitoring and the data they get from this is critical, in our view. It's part of the recovery effort, in the council's opinion.

Mr. Randy Kamp: I appreciate that.

Mr. Gabe Gregory: With regard to your question on 6,000 to 9,000 tonnes, that was based upon the best information at the time. As I indicated, in subsequent reviews done in hindsight, looking back, those levels of catches weren't sustainable, in the council's opinion, and that's why we've recommended a reduction in the total permitted catch of cod.

Mr. Randy Kamp: What's the council's position on current calls for a limited commercial fishery or a food fishery?

Mr. Gabe Gregory: The council hasn't reviewed the science and hasn't conducted any public consultations since 2003, so I'd be somewhat hesitant to comment in regard to the current view. We'd have to be tasked and asked by the minister to conduct such a review in order to come up with a current position on northern cod.

But at the time it was last reviewed, the council did say that it was confident that a limited 1,500-tonne catch over a period of five years was the way to go, and that basically people needed to stay within the guidelines and recommendations that were put forward at that time. They were set forward in the context of a multi-year plan for the northern cod stock.

Mr. Randy Kamp: I have some other questions, but I will turn it over to Mr. Keddy.

The Chair: Mr. Keddy.

Mr. Gerald Keddy: I have a couple of questions.

I'm just trying to put into context how the Fisheries Resource Conservation Council works. There is a bit of a contradiction in your notes, and I know how the council works at home in Nova Scotia. In your testimony you said that you've never reviewed northern cod stocks.

• (1035)

Mr. Gabe Gregory: If I did, it was a mistake.

Mr. Gerald Keddy: Okay, because in your writings it says since 2003.

Mr. Gabe Gregory: Since 2003 we haven't reviewed northern cod. Prior to 2003, over the decade of 1993 to 2003, there were many reviews of northern cod by the FRCC.

Mr. Gerald Keddy: Okay, and recommendations made to the minister based on them.

Mr. Gabe Gregory: Yes, public reports with public recommendations made to the minister almost on an annual basis, probably not every year but almost.

Mr. Gerald Keddy: How many licences are there today in northern cod?

Mr. Gabe Gregory: I really couldn't answer the question specifically. I could make an educated guess of probably close to 4,000.

Mr. Gerald Keddy: About 4,000.

Mr. Gabe Gregory: You'd have to talk to DFO. It's somewhere in the 3,000 to 4,000 range.

Mr. Gerald Keddy: All right. I'm just trying to get some correlation between the licences prior to 1977 with the inclusion of the 200-mile limit and after 1977. Prior to 1977 there were about 14,000 northern cod fishermen who targeted northern cod, and after 1977, that blossomed or exploded to about 25,000. If we've gone back down now to below pre-1977 limits, then there should be a lot less pressure on the resource. So if it's not coming from the inshore or the licensed fishermen—Newfoundlanders—then the pressure has to be coming from somewhere else.

We know there is a problem with bycatch in every species, but it would also seem to me, especially if we are not seeing that five-, six-, seven-, eight-year class of fish in the offshore, that there still has to be a problem with bycatch. I am targeting and trying to lead you toward that foreign overfishing, which we don't regulate and we don't have a record of.

Mr. Gabe Gregory: Foreign overfishing remains a problem in the area of 3L, which is the nose of the Grand Banks. To the extent that the foreign fishing there is targeting or bycatching cod, I really cannot speak to the numbers because there is no public information on it.

Mr. Gerald Keddy: I appreciate that.

The Chair: You're out of time, sorry.

Mr. Blais.

[*Translation*]

Mr. Raynald Blais: Thank you, Mr. Chairman.

Hello, Mr. Gregory.

I'd like to hear what you have to say about the trust among the stakeholders, in other words between fishermen, scientists and the department. You've made recommendations in this area, or, in any case, you issued a report on all that at one point. I'd like to hear what you have to say on the way this has evolved. Trust was non-existent, or virtually so, at one time. Is that still the case? Has there been any notable improvement or not?

[*English*]

Mr. Gabe Gregory: Thank you.

What I'm referring to is particularly in regard to the northern cod stock. Fishermen throughout the 1980s, particularly in the latter 1980s and early 1990s, were on the record advising DFO managers, DFO scientists, government in general. Their view was very clear: stocks were in trouble, their catches were in decline, and there was something not right about these high levels of total allowable catch for northern cod. In the late 1980s the Government of Canada commissioned a number of studies to review the northern cod stock. One of the most prominent was what was referred to as the Harris

panel, where there was, for the first time I think in many years, a broad public review of the cod stocks.

Fishermen are very much of the view that science and DFO did not listen when they were singing the warning signals of what was happening to the cod stock during these years. When I speak about a lack of trust, this was one of the principal reasons for such a lack of trust between the fishermen, the fishing industry, and public officials, particularly fisheries scientists and fisheries managers. The advisory councils that were in place advising on groundfish at the time were closed advisory bodies. They were not public, open, transparent bodies advising the Government of Canada or the minister. There was a strong feeling among many participants in the industry that really these committees were more open to the lobbying interests of certain sectors of the industry and certain players in the industry. That's what I'm referring to when I say a deep lack of trust.

As regards the FRCC, the FRCC only conducts public consultations. It does not conduct private meetings of any kind. Yes, it has had a significant, in my opinion, influence upon how the relationship has changed. It's not ideal, by any means. Fishermen are still demanding more say, more accountability. They want what's referred to in fisheries management today as a process of shared stewardship to develop between themselves as stakeholders and government, where they have an active say in decisions and decisions aren't made in private. In the view of the industry, this is still a significant weakness in fisheries management in Canada—that all of the authority for decision-making rests with the Minister of Fisheries himself.

• (1040)

[*Translation*]

Mr. Raynald Blais: In your recommendations from last year concerning Division 2J3KL, you referred to the formation of inshore fisheries councils as a way of assisting in management over a distance of six nautical miles. I'd like to get a slightly better understanding of what you mean by that.

[*English*]

Mr. Gabe Gregory: The idea is to foster what we refer to as shared stewardship. It's to create management bodies to delegate some of the responsibility for the management and recovery of cod in the coastal areas to committees of fishermen along the coastline. These could be based up on the bay, as an example. We didn't get into defining the specific areas. The idea was to create a more open partnership with fishermen by establishing these councils and letting them develop the terms of reference and establishing themselves as really proactive in becoming participants in the decisions regarding the recovery of cod along the coastal areas of southern Labrador and all the way down the coast of northeast Newfoundland. That was the idea.

[*Translation*]

Mr. Raynald Blais: Would that come with financial responsibility?

[English]

Mr. Gabe Gregory: No. The financial responsibility, most of that onus, would rest with the Government of Canada through the Department of Fisheries and Oceans. These fishermen still need, even in regard to shared stewardship.... There is a resource need there to create and facilitate the establishment of councils, provide advice, and get these kinds of committees up and working. Over the long term, we feel it would create a much better working environment for the Government of Canada through the Department of Fisheries and Oceans, in partnership with fishermen, and it would enhance the conservation ethic in the fishery.

• (1045)

[Translation]

Mr. Raynald Blais: Let's talk about the inshore and offshore fisheries. Do you have definitions? How do you define those two fisheries?

[English]

Mr. Gabe Gregory: There is really not a formal definition, but inshore fishermen, in the context of what we call coastal fishermen, are generally referred to as operators of vessels of less than 35 feet. They generally operate in the bays and off the headlands of the coast, generally speaking, in the range of probably five to ten miles offshore, that type of thing.

The Chair: Thank you, Mr. Blais.

Mr. Stoffer.

Mr. Peter Stoffer: Thank you, Mr. Chair, and sir, thank you for your presentation and for the handout.

The FRCC has recommended for years a seal exclusion zone. However, I have yet to hear how one would be set up. I asked that of a fisherman the other day, and he said he would know what to do if he wanted to protect his stock from seals. But how does the FRCC actually see a seal exclusion zone set up? Is it one thing to say it, but it is another to implement it.

Is it a big net across something? Is it shooting the seals? You say "seal exclusion zone", but how would you recommend to the minister to set one up?

Mr. Gabe Gregory: We recommend them on the basis of input from public consultations. This is where the idea came from, from the industry itself.

But it is not the council's role to define a seal exclusion zone or to specify how you might do it. What we were really recommending to the minister is to establish these coastal fisheries councils and give these councils a mandate to get together in workshops and come up with ideas that are practical and reasonable.

Right now the seal fishery, as you are probably aware, is controlled by a TAC and fishermen are not permitted to kill seals out of season. There is an open season and a closed season within defined days and weeks.

If seals are a problem and they are preying on the cod stock that is aggregated, for example, in Smith Sound, then the idea of the seal exclusion zone is to designate that area where cod are aggregating and spawning and put in place a network whereby there is

monitoring of the population. If seals are there, then people can come up with ways to control the population. Obviously, control means having the right and the means to go out and cull seals in certain areas.

Mr. Peter Stoffer: All right. You also in your pamphlet indicated areas in need of protection, which is the Hawke Channel and the Bonavista corridor. Are you recommending in any way that these areas be listed, for example, as a marine protected area?

Mr. Gabe Gregory: Marine protected areas have a specified definition. We don't necessarily see these areas as having to be defined as marine protected areas. They could be defined as conservation areas. For example, the minister accepted a recommendation of the council back in the early 1990s to create a protected area around Smith Sound, where known aggregations of cod are and are well documented.

What we were looking for was for the minister to close these areas off to commercial fishing activity or fixed gear for a fishery like crab, where there is no bycatch, no habitat destruction. But we felt that areas like the Hawke Channel and the Bonavista corridor should be excluded from other commercial fisheries such as gillnetting or trawling for shrimp or other species.

Mr. Peter Stoffer: It was the FRCC's contention in the 2004 recommendations that no recreational fishery be allowed and that this recommendation would be under a review after five years.

Is it the contention of your testimony this morning that starting today, for example, there would be no recreational fishery in the 2J3KL stock for five years?

Mr. Gabe Gregory: When the council last reviewed northern cod, that was the recommendation of the council. To date, to the best of my knowledge, currently there is no recreational fishery for cod along the coastline in the 2J3KL area.

• (1050)

Mr. Peter Stoffer: The reason I ask that is that you also recommended establishing coastal fishery councils. I assume these are made up of fishermen and interested parties within the bay areas. What we heard from our testimony is that fishermen are saying that most fishermen in the bays would like to have some form of limited commercial activity, and the rural boat owners, for example—representing, they say, thousands of boat owners—would like to have a limited recreational fishery.

You're recommending no in that regard, yet you want these councils established to discuss concerns about the fishery. But you have already made recommendations that, in my opinion, handcuff them. If they're already saying that they want to do this and the FRCC is recommending you set up these councils and discuss the fisheries, but by the way, there will be no recreational fishery of any kind in that regard, haven't you in some way handcuffed their discussions in that regard? You said, we want you to go out and talk about fish, but by the way, there are certain things you can't do because we've recommended this. Haven't you handcuffed them in a way?

Mr. Gabe Gregory: I think that's a fair criticism. The council takes in input from all stakeholders, and we are challenged to bring forward a conservation plan that, in our view, is the path for recovery of the fishery. As in any advisory role, you have to weigh off views of all stakeholders and you have to prioritize them.

In the council's view, the priority should be this: to the degree that we're going to have a limited catch of cod in the northern cod stock, first and foremost we should maintain the sentinel fishery, which is a controlled fishery that provides a lot of valuable input to science; the second priority should be to commercial fishermen, either through bycatch or some limited index fishery; and last would be the issue of recreational fishing activity.

I think through these councils what we viewed was that you'd have some ongoing monitoring of stock conditions in the bays and over time you may find that those priorities might shift. If the stocks are rebuilding and the evidence and trends are there to support limited and controlled recreational fishing, then that is something these councils would have a mandate to review and look at.

One of the biggest problems with recreational fishing has been the levels of participation and the catch that occurs in recreational fishing. We have had experiences with the fishery in northern cod over this timeframe whereby participation was up to 20,000 people and beyond, and the catches were significant in relative terms to the overall mortality and catch of cod in the northern zone. If we're going to consider a recreational fishery, we would caution that there had to be certainly very well thought-out limits and controls and monitoring on the levels of catch that could occur.

The Chair: Mr. Murphy.

Hon. Shawn Murphy: Thank you very much, Mr. Chair.

Thank you, Mr. Gregory, for appearing.

I want to pursue the whole relationship between science and the other stakeholders in the fisheries industry. As your document indicates, the FRCC was constituted in 1993, and I will read it: "Lack of trust had developed between various stakeholders. Relationships between the fishing industry and individual fishermen, scientists and fisheries managers had deteriorated".

I wasn't involved in fisheries management or public policy in 1993, but in the last 12 years do you think it has got better? I still see a disconnect at this point in time.

Mr. Gabe Gregory: There's no question that there continues to be a disconnect, but yes, I do strongly believe it has got better, because when DFO conducts its science and we hold public sessions, scientists are always available at these public sessions to present their data to be cross-examined about their conclusions and their advice. There has also, within the science process itself, been established what's called a reasonable assessment process. Now when scientists get together and talk specifically about the science of a stock, industry participants are open to come in and comment and provide advice and their input. Things have changed significantly since the late 1980s and early 1990s in regard to the partnerships that are being created between scientists and fishermen, but we are not there yet.

● (1055)

Hon. Shawn Murphy: To follow up on that, no, we're not there yet. Even in these hearings we had a number of fishermen, fish plant workers, union organizers, and fisheries union leaders before us, and basically they repeated the same thing, that they don't trust fisheries science.

But having said that, I'm not going to get up and beat the scientists over the head with a two-by-four, because I've asked these fishermen, every one of them.... There was a 21-page report written on the northern cod stocks—albeit it was a year late, it was issued May 2005—and I asked, did you read it? No. Do you know about it? No. Did you know it existed? No.

So there just seems to me to be a total disconnect on this issue between the scientific community and the local fishers on the ground. I know in the FRCC you may have a fisher on the actual board, but I still sense in the local communities a total disconnect between the science and the stakeholder vis-à-vis the inshore fisherperson.

Mr. Gabe Gregory: I think there is still a disconnect, but to the extent that there is a disconnect there at this time, it's certainly not because the participants and stakeholders in the fishery don't have the opportunity to come and make their views known. In all of my experience on the council and off the council in the last decade, there's every opportunity at this time, because when meetings are scheduled, they are public, they are open. We've had as many as 800 people, most of the fishermen, show up at a scheduled meeting in a place like Clarendville on the issue of northern cod, and scientists are there. They are going through in detail all of their scientific findings, all of their conclusions, and their advice in regard to stocks.

One thing I have to say is that there's always going to be strong differences of opinion about stocks, and cod particularly, but that's part of the challenge: to take in all these inputs, assimilate them, and come to some reasonable and practical recommendations and conclusions. That's part of your challenge, I'm sure, as well.

Hon. Shawn Murphy: Yes. I think I speak for everyone in saying that no one really wants to be the Minister of Fisheries in this environment.

Mr. Gregory, to follow up on another issue, in your crab study, did you discern any relationship between the decrease in northern cod and the increase in the biomass of shellfish, especially snow crab and shrimp?

Mr. Gabe Gregory: Yes. It's well known and documented that the gadoid species such as cod are significant predators of shellfish species such as snow crab and shrimp, and with the very dramatic and significant declines in gadoids in Atlantic Canada, I think it's quite evident that shellfish stocks, because of predation, have been doing much better in the last decade. There is the belief, yes, that there is a direction correlation between shellfish, the abundance and biomass of shrimp and snow crab particularly, and the dramatic declines we've had in groundfish species.

Hon. Shawn Murphy: So it's fair to say that if the federal-provincial working group, the federal department, were successful in implementing a strategy, which they haven't been up to today's date, for the full recovery of the northern cod, we'd also see parallel to that a fairly significant decrease in the crab and shrimp biomass.

Mr. Gabe Gregory: If cod were back at their historic levels, I think most people would believe, yes, that shellfish biomasses would not be at the levels they are currently, but we'd still have shrimp and crab fisheries. We had crab fisheries back when we had very abundant cod fisheries, and shrimp fisheries as well in the north.

•(1100)

Hon. Shawn Murphy: I've nothing further on this.

The Chair: Thank you.

Mr. Matthews.

Mr. Bill Matthews: I'd like to touch on this for quick second.

Thank you for coming, Mr. Gregory.

You're very familiar with the gulf cod situation, obviously. We had to shut down for two years and now we're back in two years with a reopening, at a little increase in allocation. What were determining factors in reopening that fishery and increasing it this year? What factors were used to decide that, from your perspective?

Mr. Gabe Gregory: We take in all the factors when we're asked to review and advise on any particular stock or specific stock area.

One thing that's most striking about the northern gulf cod stock and northern cod stock is that in the past decade the productivity of these two stocks has been very different. We are seeing recruitment, new fish, young fish, coming into the stock in the northern gulf. In northern cod, recruitment has been low and continues to be low, and the stock that is there is principally fish comprised of ages 12 or 13 years, and some older. But for whatever reason, the productivity of northern gulf cod is.... Some people speculate, although we don't have a lot of information on seal predation, but the dominance of seals on northern cod relative to the south coast of Newfoundland, and the south and west coast stock of cod, is probably a significant factor. But we have no empirical evidence to go on in regard to this.

Mr. Bill Matthews: So basically it seems pretty obvious, by the amount of TAC at 3Ps and a fishery in 4R3Pn, that as we go further south it seems that the stock is far more productive—I think that is what you're saying—and there are higher levels of activity

Mr. Gabe Gregory: Yes, they are more productive, and those stocks have been able to sustain a reasonable commercial fishery.

Mr. Bill Matthews: And it's your opinion that seals are certainly a big factor in that it is more productive and there are fewer in those areas?

Mr. Gabe Gregory: This is one of the things you note when you look at it from a common sense point of view. We do know that seals are major predators of all fish species, particularly young juvenile cod, and they're also major predators of the food for cod. So you've got a combination of factors. I don't think there's any secret as to how much the seal population has increased around the province of Newfoundland. Seals are now commonly everywhere; they're all over the place.

Mr. Bill Matthews: When the final decision is made on an allocation, total allowable catch and so on, is there a mortality factor that's considered or set at a certain rate, or that kind of thing? I'm thinking particularly about the gulf again, because as you know, science in the gulf was seriously flawed a couple of years ago. The research specialists—there was nothing they did right. It was totally

flawed. And the Minister of Fisheries and Oceans refused to reopen the stock, even though we had flawed science, really; basically that's what it was. And of course that was his decision and he stuck by it. But I'm hearing now that the DFO people are admitting that they erred in the mortality factor.

Have you picked up anything like that?

Mr. Gabe Gregory: I'm not specifically aware of—

Mr. Bill Matthews: Have you heard it at all?

Mr. Gabe Gregory: I haven't heard it, no.

Mr. Bill Matthews: All right.

Mr. Gabe Gregory: And again, we haven't really been close to it in the last year and a half.

Mr. Bill Matthews: All right. Thank you.

The Chair: Thank you very much. We're out of time. We'll take a humanitarian break until 11:15 and then we'll have the Cod Action Team.

Mr. Gregory, we very much appreciate your appearance and your candour and directness in answering our questions. Thank you.

Mr. Stoffer.

Mr. Peter Stoffer: I have a point of order, if possible, sir.

My colleague Mr. Murphy indicated that probably no one would like to be the Minister of Fisheries and Oceans. I want to put on the record that I would love to do it, because then we'd have a federal NDP government. You see that? Right on.

Thank you very much.

The Chair: I rule your point not well taken.

All right, we're adjourned.

•(1105)

_____ (Pause) _____

•(1115)

The Chair: Before we get started, Mr. Stoffer has asked me to remind everybody that the way these meetings were structured is that we met with fishermen, fishermen's organizations, and different people like that in the first two days of our hearings. Yesterday was devoted basically to the scientists, and today is a mixed bag devoted to—I don't want to say odds and ends—the people you've heard from. This afternoon we'll have a panel of industry, union, and other interest groups, including the Petty Harbour Fishermen's Co-operative. I don't want any fishermen who might be here listening, or interested, to think that we've ignored them, because we have not, in fact—although I suppose one could always be here for six months, listening and listening and listening. So I just want to make that clear.

Let me welcome the representatives from the Cod Action Team—it sounds like a superhero team. We have the two co-chairs here: Mr. Mike Samson and Mr. Wayne Follett.

Just so that you know, Mr. Follett is also the regional director general of the Newfoundland region of Fisheries and Oceans Canada. I understand he'll be here this afternoon in that capacity. He's here this morning in his capacity as co-chair of the Cod Action Team, so we will direct our questions to him in that capacity, and in that capacity only, please.

I invite the co-chairs to make their presentation, limited to 15 minutes between them, and then we'll have questions and answers.

Mr. Wayne Follett (Cod Action Team; Fisheries and Oceans Canada; Member, Review Panels and Commissions): Thank you, Mr. Chairman, and good morning, honourable members of the committee. Welcome to the Newfoundland and Labrador region, Fisheries and Oceans Canada. Mr. Chairman, thank you for the opportunity to make a presentation here this morning on behalf of the cod recovery teams.

I'd like to first address the question of why two of us are here this morning. I think it's a very important question to answer. It goes to the heart of the process of cod recovery, and that is a federal-provincial initiative. In effect, it's probably a pilot project of sorts, in that Mike Samson and I as co-chairs, with our ministers and the deputy, have embarked on a process in which, for the first time in a long time, we've seen a very high level of federal-provincial collaboration as we move toward some of these questions that you've dealt with this week around cod recovery and where to go from here.

We hope our presentation will be within your timelines. You already mentioned that I'll be back this afternoon with my team to deal with Fisheries and Oceans questions, which can be—and surely will be—very broad-ranging.

The purpose of our presentation is to explain the cod recovery initiative, to update you on the progress to date, and to provide you with an overview of what to expect. We can start on page 2.

This process came out of decisions in 2003 to close cod fisheries in 2J3KL, the northern cod, and 3Pn4RS, the northern gulf cod. Those decisions at that time were very controversial and provoked quite a reaction here in Newfoundland and Labrador. As part of that process, there was a provincial Newfoundland all-party committee, led by the premier of the day, that made recommendations to the federal government to initiate this process.

You already know the importance of cod stocks to the province of Newfoundland and Labrador. This week you would have certainly gotten that in spades in relation to the northern cod stock. In August 2003, two years ago, the Canada-Newfoundland and Labrador Action Team for Cod Recovery was spawned. It will deal with four stocks in our jurisdiction: the northern stock, 2GH, which is of the northern part of Labrador; the northern cod stock, the 2J3KL stock; the southern Newfoundland stock, 3Ps; and the northern gulf stock, 3Pn4RS. Shortly after the initiative by Canada and Newfoundland, similar initiatives were started between Canada and Quebec and Canada and the Maritimes, so that we have three of the cod recovery teams in play at the same time in Atlantic Canada.

Now I will turn it over to Mike Samson, my friend and colleague, to give you an overview of the process, and I'll come back in towards the end to give a sketch of what you'd expect to see when we actually report this fall.

• (1120)

The Chair: Mr. Samson.

Mr. Mike Samson (Co-Chair, Cod Action Team): Thank you, Wayne. Thank you, Mr. Chairman.

Good morning. It's a pleasure to have an opportunity to speak to the House of Commons standing committee on this important and very interesting initiative being undertaken in partnership between the Department of Fisheries and Oceans, the Government of Canada, and the Government of Newfoundland and Labrador.

By way of information, I'm the co-chair of the Newfoundland cod action team with my colleague Wayne Follett, but I'm also the Deputy Minister of Fisheries and Aquaculture for the Province of Newfoundland and Labrador.

Wayne has already given some of the background on this initiative, but really this is a partnership initiative between the Government of Canada and the Government of Newfoundland and Labrador. It's co-chaired by the regional director general, the senior Fisheries and Oceans Canada official in Newfoundland and Labrador—and that's Mr. Follett—and me as the senior fisheries official for the province.

The team itself includes representation from both the federal and provincial governments, and from Memorial University on the fisheries science side.

One important element of this process that we've worked through over the last two years is that we've been working with an external advisory committee that was put in place to be used as a sounding board for the cod action team. This external advisory committee includes representatives of industry, communities, and other stakeholders. It includes, specifically in Newfoundland, representation for harvesters through the Fish, Food and Allied Workers Union, the offshore harvesting sector, and community representation through the Newfoundland and Labrador Federation of Municipalities. There is aboriginal representation, and representatives of the processing sector in Newfoundland and Labrador are also involved.

All of this, of course, is supported by federal and provincial officials. The external advisory team actually has 16 external representatives on it advising officials as we work through this process.

In the summer or fall of 2003 when this process started, we sat down and began to outline objectives. So as Wayne has indicated, the focus here in Newfoundland would be on the four cod stocks directly adjacent to Newfoundland and Labrador: 2GH in the north, 2J3KL—the northern cod and the focus of your visit and hearings here in Newfoundland—the 3Ps south coast stock, and of course 3Pn4RS in the northern gulf.

The main objective for the cod action process is to work together—governments and external stakeholders—to prepare and implement a long-term cod recovery strategy for the stocks that I've outlined. That's the main objective.

There are subsidiary objectives that we've tried to keep a focus on from the beginning. The first is to build a better understanding for ourselves, and in the public, on the current status of cod stocks in waters adjacent to Newfoundland and Labrador; to increase cooperation on measures to rebuild and conserve those stocks; and to identify and evaluate priorities for science and information.

Specifically, the team is mandated to consider the following: the need to develop clear stock rebuilding objectives; the requirement for an ecosystems-based management approach to these cod stocks; focusing on the importance of the most effective and achievable measures being put in place; looking at issues relating to the impact of cod recovery on other fisheries; keeping in view national and international considerations; looking closely at education and awareness activities that may be necessary; and of course identifying, as part of a longer-term strategy, appropriate performance measures, because at the end of the day you need to know whether your strategy is actually impacting on what's happening in the water.

It's important to see that the action team strategy will be long term in nature and will contribute to recovery. No one in Newfoundland and Labrador is under any illusions that this is going to change quickly.

Just as the action team is mandated to proactively do certain things and focus on certain things, there was a specific agreement from the beginning between governments, and within the team, on things that the action team would not do.

The first is that the action team will not provide annual total allowable catch recommendations to DFO. That's a matter that falls within the purview of DFO, and there are advisory processes in place that feed into that.

The action team will not and has not undertaken new scientific research. We've relied on existing reports and research. As I've mentioned before, on a go-forward basis, an element of the strategy will be to identify and prioritize science information and science activities that are required.

The third thing we will not do is address access and allocation over historical share issues.

• (1125)

It's also important to note that the cod action team's recovery strategy is separate from the process that's ongoing within DFO and the Government of Canada under the Species at Risk Act coming out of the May 2004 COSEWIC endangered, threatened species designation for local cod stocks. This is a separate piece from that.

There's a decision expected on that in the spring of 2006, whether northern cod specifically would be listed under SARA. It's our belief as a province, and I think as a cod recovery team, that irrespective of the outcome of that process, on which there are as many views as there are people in Newfoundland and Labrador, a cod recovery strategy is an important element on a go-forward basis, whether or not a decision is taken to list. It's important for us to have a focus on a go-forward basis on how we can rebuild this stock, which is of such huge historical, cultural, and economic importance to Newfoundland and Labrador.

In terms of where we are in the process, our first step was to do a background report, which was a survey or an overview of the various issues that were to be dealt with in this process. There was a public consultation document prepared and completed in January 2005. There was a major workshop on cod recovery, co-sponsored by the governments and held on February 1 and 2, 2005, here in St. John's. That workshop was attended by more than 100 participants representing government, industry, aboriginal groups, community groups, academia, and various other stakeholders in Newfoundland and Labrador. Coming out of that, there was a community consultation process in a series of eight town hall meetings held around Newfoundland and Labrador, from Goose Bay in Labrador in the north to here in St. John's.

As for where we are now, the final strategy document is nearing completion. We anticipate completing it in October 2005, at which time both Wayne and I will have to take the document and its recommendations and move it forward on separate tracks within our respective systems, seeking the concurrence of our ministers and our governments for how we should proceed.

I think this is the point, if my notes are correct, at which I pass it back to my colleague Mr. Follett, and he'll carry on.

Mr. Wayne Follett: The cooperation must be evident. Thanks, Mike.

We're on the page entitled "Next Steps", and finalizing the strategy is our next key piece. We're down to the short strokes. We're in the final drafting stages of our report.

I would make an observation. I haven't had a chance to have access to or read all the transcripts from this committee this week, but I would expect that the proceedings from this week will be quite helpful in terms of our final decision-making process.

As I said, the team right now is in the final drafting stages. We're down to making conclusions and recommendations. We have not finalized those as of yet, and I think it's important to take note of that. As Mike has indicated, of course, once we make our recommendations we'll have to work those through our respective bureaucracies and to our respective ministers. As well, we will want to go back one more time to the external advisory group and have an in camera session with the advisers in terms of whether we have it right, particularly in terms of the directions we want to set as a strategy on a go-forward basis.

The federal and provincial deputies, my deputy as well as the provincial deputies throughout the Atlantic, will review all of the strategies as a first step, and then hopefully the approved strategies will be brought to the Atlantic Council of Fisheries and Aquaculture Ministers in the fall of this year for approval.

So we're hoping to see a release of the strategies in the fall. Precisely when that will occur is difficult to say. Probably the latter part of October would be an objective at this point in time, but it could slip into November. After that, we'll have a federal-provincial process to implement and monitor the strategy. This speaks to the performance measures and, again, a continual federal-provincial relationship in terms of the monitoring and the implementation of the strategy.

The last couple of slides give you an overview of the elements of the strategy, what you might expect to see.

We will deal with history. Before you can move forward, you have to understand history, and you've had it in spades this week. So we will provide the historical context.

We'll talk about the current status and outlook for cod stocks around the province. As well, we're bringing to bear the industry views, because there are points of convergence, but of course there are divergent views in relation to some of the specific elements that relate to the stocks.

We will talk about considerations affecting rebuilding, the reproductive capacity of the remaining fish stocks. That varies, depending on the stock, and in northern cod, of course, you probably will have heard about the poor condition of fish, and age structure and whatever. We'll talk about the fishing and natural mortality—and that will cover a wide-ranging set of considerations, including foreign fishing—the fish condition and individual growth, foreign fishery, and climatic and other factors.

In terms of goals and objectives, we see this as a very key element. To some extent, for some of these stocks, particularly northern cod, it could be characterized as almost a societal debate in terms of the pace of recovery and recovery for whom. In our consultations, there's a consistent message we've heard in terms of setting goals that are more short term versus long term, recovery for whom, and really a question of pace of recovery and our expectations over the long haul, and the observation that what we do in the short term in terms of extracting economic and societal benefit from the resource will certainly have an impact on the protracted nature of the cod recovery process.

• (1130)

In terms of management strategies, we will deal with issues around modifying the management approach, and with the precautionary approach and shared stewardship, and try to establish a process to have TAC decision rules on a go-forward basis for the various stocks, so that we will be able to predict in advance when decisions have to be made and, probably or hopefully, depoliticize some of those tough decisions when they do come at us.

On improving recruitment success, we will talk about some of the advancements we've already made around closed areas and critical habitat. There is a question out there in terms of the efficacy of cod enhancement in the ocean. We have an analysis of that and we will have something to say about it.

As for the management of fishing mortality, there are the moratoria, of course, the bycatch, discarding, foreign fishing, and the monitoring and enforcement strategies that we use in Fisheries and Oceans to monitor and control the mortality.

As well, we will wade into some of the ecosystem considerations as they relate to predator and prey. It's a very complex subject. We tend to focus on seals and capelin because they're best known to us, but it is a very complex ecosystem with many species, some of which are predator and prey to the cod, in particular when you think about cod larvae. So it's one of the more difficult areas to wrestle to the ground, but we'll have our piece in terms of where we see ourselves headed, particularly as it relates to capelin and seals.

Last, we'll talk about enhancing scientific knowledge and try to point the way in terms of potential new areas of research—and I might use the word “prioritization”, because before we get to the five o'clock session and we talk about science and the adequacies of science.... In my role, in my day job, there's never enough science. So the challenge is always prioritization—prioritization within the cod envelope and prioritization across all of the various species. And if we brought all of the various players into the room, whether they are the folks who are interested in salmon or crab or shrimp or cod or flounder, or whatever the case might be, I can say that individually and in aggregate, there is never enough science. So here the challenge for the team will be to establish priorities in recognition of that very fact.

Thank you, Mr. Chairman and honourable members of the committee.

At this point, Mike, I guess we can move to the questions.

• (1135)

The Chair: Thank you, gentlemen.

Mr. Hearn, for 10 minutes.

Mr. Loyola Hearn: Thank you very much, Mr. Chair.

The committee was mandated by whom? Or was there a mutual agreement to get together to do something?

Mr. Mike Samson: I guess I'll take that.

It came out of a discussion between a group of federal ministers, the provincial Minister of Fisheries and Aquaculture, and the federal Minister of Fisheries back in the summer of 2003. There was a meeting in Ottawa and there was an agreement at that time that collectively we needed to.... We had come through the difficult period in the relationship around the issue of the closure in 2003 of northern cod and northern gulf, and there was a sense that doing something more positive and more cooperative in that regard would be a good way to go forward.

So really, this was a top-down process. There was a political decision that mandated this process in Newfoundland and Labrador, and then the process grew across the Maritimes on a multilateral basis after that. But it was certainly a top-down decision, I think.

Mr. Loyola Hearn: Thank you.

Also, thank you to both of you for coming. We know the challenges you face these days and the time constraints. We appreciate your coming here.

In relation to that, you mentioned that it started in 2003. That's going on three years now, and even though these things are not as simple as they seem, you can sort of see the frustration of people on the outside. Here we are, putting a committee together, and somewhere down the road, three to three and a half years, we'll make some recommendations.

I guess what concerns me most—and I'm sure it's more frustrating for you because you're faced with it every day—is not what you're doing but perhaps what you're not doing. It says here that the action team will not undertake new scientific research; instead they will rely on existing reports. Now, if these existing reports are already in the system and have been there for x number of years, shouldn't somebody have acted on them? In other words, what has gone wrong?

People say there's no science. Over the last couple of days, yesterday in particular, we heard a tremendous amount of information from people directly involved in the scientific research. There is a fair amount of science out there. We agree that very little has been collected on the water—we agree that this is very haphazard—but there is science.

It seems that the science, whether it be on the social scientific side or the actual fishery research, is not getting to the people who make the decisions. If what we're going to do is take that science and build on it to make recommendations—and we're talking about dealing with things such as the seals and overfishing—surely to God we don't need another group to tell somebody that overfishing or the seals are having an effect. Do you see where I'm coming from?

It is frustrating, and maybe we ourselves can be accused of that. Why are we here, 13 years after the cod disappeared, to ask why they aren't coming back? We're here maybe for the same reason you set this up, so that somebody can get the information focused and to the right spot. Hopefully our report is going to be done in three weeks rather than three years. How can we get what everybody seems to know, particularly people here in this room more so than us, to somebody who is going to do something about it? I think therein lies our frustration.

• (1140)

Mr. Wayne Follett: I've taken note of a few questions, I think, in that one.

Let's start with the timeframe. From August 2003 to now is roughly two years that we've been at it. The first eight or nine months we spent trying to find our feet in terms of how the federal-provincial process worked, finding out what we knew, and consolidating the knowledge that's already there—which, as you say, is quite extensive—both on the management side and on the science side, so that when we went to consultation we didn't go with an empty page. We went there with information that people could use to guide their consultations.

Then the consultative process was a protracted event in terms of the major workshop. Somewhere in that piece we got the suggestion or recommendation from stakeholders that we needed to go into the communities, so we did that. Admittedly, it takes a long time. As I say, after two years we're at a stage now at which we can bring forth what we feel will be a fresh look at the various issues, as well as recommendations on a go-forward basis.

In terms of undertaking new scientific research, part of our mandate will be to recommend that. We, as a body, don't have the capacity to do research. Not unlike you, we're here to assimilate the information and try to make decisions. In Fisheries and Oceans, scientific research continues; I think the best we can hope for from the cod recovery process is to offer the department, as well as our

partners, from a collaborative perspective—academia as well as industry—direction in terms of the priorities we can pursue.

The communication piece, as Mike outlined through his presentation, is a key element of our strategy, because it is evident the message is lost somewhere. I've been at this business for 25 years, and I'm not sure what else we need to do to get the message out, whether it's northern cod or other cod stocks. I think it's a two-way piece—sometimes you can say all you want, and if the person can't hear you, it doesn't matter.

Hopefully we'll see the cod recovery report contributing to that, in the sense that for once you can open the book and, from start to finish, say this is where we came from, this is what we know now, these are the factors affecting rebuilding, and this is where we believe we should be headed on a go-forward basis.

If nothing else, a key objective will be the communication piece. It will inform the debate. I don't think we have any illusion that either this process or our process will stop the debate. Debate is ongoing. The recovery will be protracted, and therefore the debate in this province will continue for some time to come; if nothing else, if we can offer a reference piece to inform the debate, I think we will have accomplished something.

The Chair: Thank you.

We're getting short on time here.

Mr. Keddy, you have two minutes.

• (1145)

Mr. Gerald Keddy: I knew we were getting short on time. I'll try to get a couple of quick questions.

You are two people within the system, trying to advise governments of whatever political stripe the direction to take here, and as a member of Parliament who represents a fairly significant fishery riding in Nova Scotia, I'm just absolutely, totally shocked at the state of science within fisheries, and that 13 years after the collapse of the cod we're still talking about the fact that we need more science.

We try to work on consensus in this committee and not be political. Most times we're successful at it, but it's a damning statement for any government, 13 years later, to have the heads of the people who advise them tell them there is still not enough science out there.

Can you just tell us how much DFO spends on science? Do you know?

The Chair: Locally, or in this area?

Mr. Wayne Follett: In this region we'll spend approximately \$28 million this year. Now, that's across a broad spectrum, not just on cod.

Mr. Gerald Keddy: Not just on cod, I understand that.

Mr. Wayne Follett: It's not just on cod. It includes all of our product lines.

Mr. Gerald Keddy: We're running short of time, but the comment was made that within the science regime, Norway, a country not unlike our own, which has had a successful recovery of cod, spends three times as much as Canada on science. It is a much smaller country with much more limited resources. Here we are without the science to back it up. We have almost stumbled along blindly.

I have a real or major difficulty with the fact that we're still having this discussion and we still haven't bitten the bullet and said, this is the direction we have to move in and this is the type of science we need, and if we don't get it we can't make good decisions. We haven't even successfully handled the bycatch part of northern cod.

Mr. Wayne Follett: Okay. I have a couple of points. First of all, in terms of where we are headed, I will try to explain it again in terms of the objective for the cod recovery process.

The cod recovery process doesn't proclaim that there is no science or that there is no science on cod or that the cod science is inadequate. I think what we will say is that at this juncture, science evolves as the questions evolve. In 2005, 13 years after the moratorium was declared in 1992, do we need to redirect some of our science to new questions, particularly as it relates to the ecosystem? Surely you've heard of some of these questions during your hearings or whenever. The question is put before us: do we have it right?

With regard to whether we have a good body of science with respect to northern cod, I would argue, yes, we do. I would argue that internationally in the other fora where we participate, whether it's ICES or the NAFO scientific council, Canadian scientists are at the forefront of scientific research. The people who work in my building are world renowned in terms of their expertise, particularly as it relates to the understanding of cod stocks and the modelling around stock assessment and whatever, or—

Mr. Gerald Keddy: Somebody is not listening.

Mr. Wayne Follett: Someone is not listening.

So we participate internationally, and I think we have been proud as an organization that we not only participate in science fora, but also that in many cases we're leaders in the science fora.

I think there are always questions to ponder in the ecosystem or in science that we can't answer. I am not a scientist, by the way, though I do participate in my science group from time to time. One of the lessons I've learned is that science can't turn on a dime. To establish scientific time series takes a lot of investment and a lot of time. We are always very guarded before we drop a particular line of work in science, or a particular time series in science. We know what we leave behind when we embark on something new.

So these are the types of challenges that hopefully, through this process, we can inform the decision-makers of.

As I said earlier, in terms of the quality of science, I think we have top quality scientists to work with and we have good science. Where we maybe could do a better job is on the communications piece. Again, we have tried.

When we have more time to talk about this, I would like to give you a presentation in terms of where we have made phenomenal efforts on collaborative science, involving fishermen on our research

cruises, through the sentinel fishery, and through the collaborative research program. We've gone the distance in terms of involving scientists in our RAP process. When we do our assessments, we don't do them behind closed doors any more.

• (1150)

[*Translation*]

The Chair: Mr. Blais.

Mr. Raynald Blais: Thank you, Mr. Chairman.

Hello, Messrs. Sampson and Follett.

First, I'd like to tell you not to take all the comments I'm going to make as a personal attack. I was enthusiastic when I saw that we were talking here about a team devoted to re-establishing the cod stocks. I didn't feel the same degree of frustration as Mr. Hearn, but almost. I find it very hard to follow you with regard to what you want to bring about, a committee that aims to re-establish cod stocks. Furthermore, I read that you definitely won't have any new scientific research undertaken. That's like doing the job completely backwards. If you only rely on available information, I wonder how it will be possible to re-establish the cod stocks. I believe there are major problems on the horizon. Everyone agrees that the information we have isn't enough. I can cite the example of seals and the structure of the stocks, regardless of whether we're talking about the inshore or the offshore fishery. We could even discuss the reasons for such a dramatic decline in the stock.

Your strategy will be submitted in the next few weeks. And it will probably be good for you to appear again so that we can read and understand your long-term strategy before we make our recommendations. However, the strategy really seems to run counter to common sense. What counts in the final analysis is an improvement in scientific knowledge. And yet, if we really want to re-establish declining stocks, how can we develop a strategy for that purpose if we don't really know either the causes of that decline or factors that would eventually help re-establish the stocks. The whole thing is a bit topsy-turvy.

This isn't a personal comment, but I conclude from my observations that all your committee has been doing for a while now is stall for time. That's also what might be doing for a while yet. In other words, the stocks will continue to be the way they are, so that the situation will be virtually the same in five to eight years. Essentially, I find it very hard to understand your purpose. You may be able to convince me, and I'd be very pleased at that. For the moment, I increasingly share Mr. Hearn's frustration.

• (1155)

The Chair: Would someone like to make a comment?

Mr. Wayne Follett: Thank you for your presentation.

[*English*]

I think it's a lot to deal with. In terms of frustration, I think the frustration is felt by everyone. It's felt in our line of work, in the communities, and across the board in terms of the lack of recovery in cod stocks.

I think there's some confusion in terms of when we say we won't undertake new science. That's a short-term statement. That is a statement in relation to when we commenced this particular process. I think it's fair to suggest we didn't know how long it would take and it's taken two years. It was not our objective or mandate within that one- to two-year timeframe to engage in new science activities. Rather, it was our mandate to recommend directions for science. Hopefully with that recommendation, we can embark in a complementary sense on the science that already exists.

So, Mr. Chair, hopefully I can clarify the questions around the science piece. As we've already said, Mr. Chair, at five o'clock I can come back and talk more about specifics with our scientists in terms of the programs we actually implement. I think it's probably best left there, at this point in time.

Two years ago, probably engendered by the outrage—if I could use that term—here in Newfoundland and Labrador or by the frustration with the lack of rebuilding, we saw our political masters stop, pause and say it's obvious the recovery is some ways down the road and we need to take stock of where we are and look at a strategy over the long term. I think that was the mandate we were given, to reflect and do the analysis. We will offer, I think, an analysis of why the recovery is slow—it's faster in some stocks than others, in 3Ps for example—and hopefully offer informed recommendations for both levels of government in terms of what we can do to marshal the resources necessary to move forward on recovery.

Recovery at the end of the day is in the hands of Mother Nature. Science, and certainly our fisheries management strategies and the modernization of fisheries management, can help us. You talk about bycatch and foreigners and ecosystem management; there is a wide-ranging debate here. But at the end of the day, hopefully through this process we will bring another level of debate to the table. I think that's the best we can offer at this juncture.

[Translation]

The Chair: Thank you.

Mr. Raynald Blais: I'd like to ask a final question. How much time is left?

The Chair: None. You can ask one.

Mr. Raynald Blais: Thank you. As regards the inshore and offshore fisheries, the structure of the stocks and so on, I'd like to know whether you share the view that the inshore fishery could be reopened without it having a significant impact on offshore stocks. There could eventually be a quota of approximately 500 or 1,000 tonnes.

• (1200)

[English]

Mr. Wayne Follett: Mr. Chairman, since I know I will be dealing with that question at five o'clock, or hopefully we will, because I think that's a very important question—

The Chair: So would you like us to table that until five and we'll take an undertaking that you'll answer it at that time?

Mr. Wayne Follett: I was going to offer my colleague, who won't be at this table at five o'clock.

The Chair: Okay.

Any comment, Mr. Samson, on that?

Mr. Wayne Follett: If he has an observation, I'll reserve mine for five.

Mr. Mike Sampson: It is one of those vexing questions, just an observation about frustration levels, which we've heard and sensed in some of the questions. That sense of frustration is pervasive in Newfoundland and Labrador society. From the province's perspective, I think what we saw as positive about this initiative was an opportunity for the Government of Newfoundland and Labrador and the Department of Fisheries and Aquaculture to move in partnership, for what is close to probably the first time, with DFO on some of these questions. Because many of the questions that are being asked here this morning fall clearly and squarely within the jurisdiction of the Government of Canada, but as the provincial government and the provincial department, very much on the business end of this stick for the last 13 years, we view this process as an opportunity to move in partnership with the Government of Canada and hopefully to gain a better understanding for ourselves and to put ourselves in the position to have more influence over the decisions that are taken in Ottawa that impact so directly on people in Newfoundland and Labrador.

I'd leave my comment at that.

The Chair: Merci, Monsieur Blais.

Mr. Stoffer.

Mr. Peter Stoffer: Thank you, Mr. Chair.

Gentlemen, thank you for coming before us today. Please don't take what I'm about to say on a personal note, but I have a very simple question. Yes or no would be very helpful.

The cause of the cod stocks and the decline of it, was it a result of mismanagement by the federal government, by DFO?

Mr. Wayne Follett: You want me to answer that?

Mr. Peter Stoffer: Don't elaborate, because every single person we've ever talked to said mismanagement played a role in the decline of the stocks. I'd like to hear it from people within the department and provincially as well. Is that a correct statement?

Mr. Wayne Follett: I would offer you a response to say, in part.

Mr. Peter Stoffer: Okay, that's good.

Mr. Mike Samson: If I could jump in at this point, I would have to concur with Wayne's observation, and I too, as a provincial official, would say in part, and I would not feel comfortable placing all of the blame fairly and squarely on the back of the Government of Canada.

Mr. Peter Stoffer: Okay, because section 35 of the Fisheries Act states that the federal government has the constitutional obligation of the protection of fish and fish habitat. You said in your action right here how many people were affected because of the downturn of the codfish; \$4 billion and more have been spent readjusting the east coast fisheries. We've talked to fishermen right now who are going to go bankrupt this year, yet not one single person in that department has ever been publicly offered up as part of the problem, not one single person in that department. There are many people who have served many years in that department, and not one of those people has ever been publicly brought to task for what happened within that department. From science misinformation—we heard yesterday from Ransom Myers saying that fisheries ministers and politicians didn't have an opportunity to make a mistake, because the information goes from this level, to this level, to this level, to this level, and then up here.

That's the problem. I've had four fisheries ministers since 1997. I don't know how many other ministers have been before, but we've had from Tobin to Crosbie to Anderson to Dhaliwal, and the problem exists the same. We've had different political parties, yet the department is still there. No one in the department has ever stood up and said, we screwed up; here's where the problem was. And part of the mandate of the committee is to find out why the stocks collapsed.

The Chair: Mr. Stoffer, has any department of the federal government ever said that with respect to any problem?

Mr. Peter Stoffer: I'm just on the fisheries. Let's concentrate on that.

Correct me if I'm wrong, but if I'm a fisherman and I see this—and we just heard from the FRCC. It looks like the FRCC's doing everything that you folks are going to be doing, recommendations, studies, and all of this. I can't help but think when fishermen tell me that the best thing to do with bureaucrats is keep them busy, keep them attending meetings after meetings after meetings, how can you tell fishermen in Bonavista Bay that this is just not another group of people sitting around the taxpayer's dollar to keep busy, and nothing will ever get done because the fishermen do not get heard? How do you break that?

That's my initial perception of this, that this is all well intended, it's nice, it's a good thing to do, to work cooperatively. I don't disagree with that, but how are you going to convince fishermen and their families that they're going to see results, sir?

Don't take it personally, by the way.

A voice: Do you want to leave?

• (1205)

Mr. Wayne Follett: Since I don't take it personally, I will.

You asked me a direct question to which I gave a direct answer. You asked me if it was the result of mismanagement, and I said in part it was. I don't know, Mr. Chairman, how much time we've got to go into the other parts of what happened or what didn't happen in the ecosystem or in the fishery—

The Chair: We've heard a lot of evidence about it. We just haven't heard anybody take any responsibility.

Mr. Wayne Follett: —or the fishing behaviours of fishermen and the lack of good data for scientists as a result of discarding misreporting that occurred on the sea.

In coming here, I took the opportunity to read probably the longest press statement I've ever read. It was by the Honourable John Crosbie in July 1992. It is interesting that 13 years later we're here drawing some of the same conclusions.

Mr. Crosbie—as I say, it is the longest thing I've ever read—said, “The Northern Cod stock has fallen to historic lows as a result of three main problems: (i) Over-estimation of the stock by Canada”—and that's an admission—“leading to a setting of Total Allowable Catches that we know now were too high”. That's an admission by the Minister of Fisheries of the day, and I feel comfortable quoting the Minister of Fisheries. He went on to say “foreign overfishing” at the time, as well as “devastating ecological factors”.

There is a phenomenal discussion to go behind each of those three. In part, yes, the stocks were overestimated. TACs, in retrospect, were set too high. Is it the sole responsibility of, or should blame be placed solely on, DFO scientists and managers? I believe not, because I believe we were collectively implicated in the situation back then.

It's a disaster of immense proportions, and I believe today, 13 years later, we are drawing the same conclusions as to what happened then. However, my focus today is on where we are now and where we need to go. I think the whole cod recovery strategy process is geared around those questions of where we need to go. I don't think we're going to find a silver bullet in our reports, by any stretch of the imagination, but as I say, if we can better inform the debate, if we can offer recommendations that our ministers can consider—and more importantly, that all of us can consider publicly—then there is some hope in terms of moving forward.

The Chair: Next is Mr. Simms.

Mr. Scott Simms: Thank you, Mr. Chair.

Probably about seven or eight months ago I read a news release concerning the international organization for salmon. It talked about cutting out the commercial harvesting of salmon because it's at a dangerously low level. There was an interesting little tag on it, though. They said that in Greenland they would maintain a food fishery. I don't think it's because probably there are more fish there than anywhere else on the coastline; it was probably a traditional historical rights issue.

Back in the spring I put a petition in the House of Commons calling for a food fishery, because it was put to me that it is a God-given right to a Newfoundlander to go to the ocean to provide fish for the table. We're not talking about a lot.

They came to me, and I said to them that, you know, we are at a pretty low level when it comes to cod and everything else, and they agreed. They know that, but they feel they've reached a point at which it can be sustained—and we had evidence yesterday from one of the professors, who said yes, it can be sustained.

So under your mandate to develop clear stock rebuilding objectives, help me. When people say to me it is their God-given right to provide cod for the table, and a food fishery, what do I...? What do you say to them, as part of the cod recovery team? I'm sure any one fish out of the water is probably one too many to some people; I'm not saying it is to you, and I'm sure that to a certain degree you don't mind a certain amount of catch, but it has to be sustained. But what do I say to people when they say to me that it's their right?

• (1210)

Mr. Wayne Follett: We won't go into the salmon, the West Greenland food fishery thing. At some point I would like to talk about it, and—

Mr. Scott Simms: No, and maybe some of my facts are a little off. I apologize, but it was something that caught my attention.

Mr. Wayne Follett: That's not a problem.

We do, by the way, have similar food fisheries in Labrador for our aboriginal participants and whatever.

In terms of what to say about a God-given right to have food for the table, I've tended to move toward a heritage fishery as a concept. It brings two questions to bear.

The first is a scientific one in terms of the impact on the stock, the impact on rebuilding. If we look at our recent experiences with food fisheries or recreational fisheries on the northeast coast, we have taken as high as 1,000 tonnes in a very short fishery, so the first question we have to answer is whether it is a wise thing to do from a stock perspective. This goes back to our objectives around rebuilding—how far, how fast?—because every fish you take retards the rebuilding process.

Once we agree on the objective, I think you can move the rebuilding.... The further you move your man-made mortality higher, the slower the trajectory of recovery.

Scientists may tell us, in our last stock status report, that if you assume moderate to high recruitment in a stock, you should be able to sustain a fishery of 2,500 tonnes, but is our objective sustainability or is it growth?

So the first question is one of science.

Mr. Scott Simms: But your objective is growth.

Mr. Wayne Follett: Our collective objective, I think, is growth.

Then you move to the second question, which is one of allocation. I didn't attend your meetings with commercial fishermen, but if you put those questions to commercial fishermen, I'm sure the majority of commercial fishermen will have told you that the first call on a resource is a collective call.

Mr. Scott Simms: Sure. That's fine, but I—

Mr. Wayne Follett: No, just in terms of.... I'm not being paid to express a personal opinion. However, in terms of the decision that my minister must make, the first decision he must make—and he made it in this particular calendar year—relates to our rebuilding objective and the risks we run with the resource. Second, if he accepts that we will have some level of authorized fishing mortality on the stock, then he has to make an allocation decision.

Advocates of the food fishery would argue that the first right to the resource is the food fishery. Advocates of a commercial fishery will argue that the first right is commercial exploitation, either by a bycatch fishery or by a directed cod fishery. At this point, in the last couple of years and in this particular fishing year, the minister has decided that the only call on the resource will be through a bycatch fishery, because it allows other economic activity to occur.

• (1215)

Mr. Scott Simms: Yesterday Professor Hutchings made the point that we can't go to the further edge, say 2,500 tonnes, and then work back. He thinks that's a wrong way to go about doing it. Then he touched upon the food fishery issue.

Do you agree with that assessment? Do you think we've gone too far in that sense? As politicians and decision-makers—or the ministry—do we go to the edge and then work back, and that's a completely wrong way to do it?

I'm certain you're compassionate toward the people I get in my office—they are people who can't make a living from this—and I appreciate what you said about a limited commercial fishery, but when people cannot feed their families, period, they show up in my office and not yours. I don't mean that to offend you, but this is the type of pressure I get.

When it comes a limited commercial fishery and a limited recreational fishery, I just want to know what kind of alarm bell that sends to you. And I'd love to get both of you to tell me—

Mr. Wayne Follett: I appreciate the concern for people. I've lived through the cod moratorium, and I've had just about thousands in my office in terrible condition over time, having participated in all those programs. So I deeply feel for the economic and social well-being of the people on the northeast coast.

With regard to your question—do we push things to the edge?—I'd like to talk about it in a generic context first, rather than northern cod, because as a fisheries manager, I've come to the belief that we deal with risk management in the extreme and a phenomenal amount of scientific uncertainty since the ocean is vast and very complex, and behind that, we have to deal with human psychology and behaviour. We try to manage that, and admittedly it's very difficult to do. I've come to the conclusion myself, as a person, that if you manage with a low exploitation rate of any fishery—there are exceptions, because there are short-lived species, whether it's squid or crab, for that matter, once they are of commercial size—you minimize the risk.

There is a tendency, by those in our society who have phenomenal social and economic needs, to want to maximize the short term, but not in a malicious manner other than that they need to sustain themselves. As managers, of course, we have to balance those considerations, and ultimately our minister has to balance those considerations. So I think once you open the debate around a small fishery, be it for the recreational fishermen or for the commercial fishermen, the first debate we have to have is what level of risk do we want to run on the stock? And what are our aspirations for cod recovery? I think in our cod recovery strategy, we're going to lay out for discussion the various decision points that enter into that risk assessment, because at the end of the day it is a risk assessment. At the end of the day, we have to agree on our objective. If your objective is recovery, you won't fish. If your objective is to increase the risk in relation to recovery, then you will allow a certain amount of mortality. The further you go with that mortality, the greater the risk you will run in terms of our long-term stock rebuilding objective.

The northern cod stock was one of the largest bodies of fish in the North Atlantic. If you set objectives to get that back, then in the short term we've got tough decisions to make. If you accept that it's not coming back and we want to sustain the sub-populations that we have there now, then you can talk about sustainable fisheries. But again, this is where it goes back to an objective and a discussion around the objectives. As parliamentarians, I consider this process crucial to establishing for us, those managers and scientists in Fisheries and Oceans Canada, those types of objectives.

• (1220)

The Chair: Professor Hutchings said yesterday in his answers that it all comes down to what we want and we have to make those decisions. And that's something we have to make.

Mr. Samson, we're all through. Do you have a comment you'd like to make in response to Mr. Simms?

Mr. Mike Samson: The issue of the recreational fishery is a very difficult one. I'm somewhat isolated from this in the sense that it isn't provincial jurisdiction, so we're not in the difficult position of having to make that decision—unless, of course, you decide otherwise, perhaps, and that we'll see.

My observation on it would be generally in terms of the collapse. I concur with Wayne's comments on what do you want and perhaps Professor Hutchings' comments on what do you want; what is your objective? How steep do you want the slope on the curve to be as you move forward to recovery? Every fish that you take out, I guess, at some level sort of flattens the slope on that curve, and that's a challenge for everybody.

I do know from my day-to-day interaction with this—and in my department, our jurisdiction falls over the processing sector... whereas you would be aware that at one time there were thousands of Newfoundlanders and Labradorians employed in groundfish processing plants in Newfoundland and Labrador, and the impacts of the collapse and the social impacts, the economic impacts, and the impacts on communities have been devastating. God knows, we've seen it and we continue to see it today, and we see it reflected in the processing sector on additional pressure for processing capacity on other species, most recently shellfish—crab and shrimp.

So that becomes the difficult management question: do you want to sustain the fishery at 500 tonnes, or 1,000 tonnes, or 1,500 tonnes? Or understanding the difficult international and global economics of the groundfish business, is your objective to re-establish the stock or to encourage and assist the stock to grow back to a level where it can provide a viable economic opportunity at a scale that would allow it to return real economic benefit and generate real wealth for the people who are catching it and the people who are processing it in Newfoundland and Labrador?

Those are always very difficult public policy questions that require balance and tough decisions at the end of the day.

The Chair: The final question will be from me.

Under your tab “Scope”, “Decision on SARA cod listings expected in April 2006,” if the cod were listed, there would have to be a recovery plan developed under SARA. Could this recovery plan that you're working on be used as that recovery plan, or do you think you'd have to start all over again, reinvent the wheel, and go for another two or three years?

Mr. Wayne Follett: In establishing this cod recovery plan, we haven't specifically geared it to meet all of the requirements of the SARA legislation. However, we've been very cognizant of that. So with very few minor exceptions, I think the cod recovery strategy will form the basis of a recovery strategy under the species at risk legislation.

Mr. Mike Samson: If I could add a comment, the way I'd describe it would be “necessary but perhaps not entirely sufficient”.

The Chair: Okay, that's a good answer. Thank you very much.

I would ask colleagues to remain for a minute or two after we adjourn, for technical matters.

Gentlemen, thank you very much. We very much appreciate your evidence this morning, and we'll see Mr. Follett this afternoon at five o'clock.

Ladies and gentlemen, we'll be adjourned until 1:45 this afternoon. Thank you.

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